

# Public Document Pack



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

Mrs Annwen Morgan  
Prif Weithredwr – Chief Executive  
CYNGOR SIR YNYS MÔN  
ISLE OF ANGLESEY COUNTY COUNCIL  
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<b>RHYBUDD O GYFARFOD</b>	<b>NOTICE OF MEETING</b>
<b>PWYLLGOR CYNLLUNIO A GORCHMYNION</b>	<b>PLANNING AND ORDERS COMMITTEE</b>
<b>DYDD MERCHER, 12 IONAWR, 2022 am 1.00 o'r gloch yp</b>	<b>WEDNESDAY, 12 JANUARY 2022 at 1.00 pm</b>
<b>CYFARFOD RHITHIOL WEDI'I FFRYDIO'N FYW (AR HYN O BRYD NID OES MODD I'R CYHOEDD FYNYSYCHU'R CYFARFOD)</b>	<b>VIRTUAL LIVE STREAMED MEETING (AT PRESENT MEMBERS OF THE PUBLIC ARE UNABLE TO ATTEND THE MEETING)</b>
<b>Swyddog Pwyllgor</b>	<b>Mrs Mairwen Hughes (01248) 752516 Committee Officer</b>

## **AELODAU / MEMBERS**

Cynghorwyr / Councillors:

**John Griffith  
Glyn Haynes  
T LI Hughes MBE  
K P Hughes  
Vaughan Hughes  
Richard O Jones (Is-Gadeirydd/Vice-Chair)  
Eric Wyn Jones  
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 - 8)

To submit, for confirmation, the minutes of the previous meeting of Planning and Orders Committee held on 1 December, 2021.

#### **4 SITE VISITS\_**(Pages 9 - 10)

To present the minutes of the planning site visit held virtually on 15 December, 2021.

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## **5 PUBLIC SPEAKING**

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

None to be considered by this meeting.

## **7 APPLICATIONS ARISING\_ (Pages 11 - 16)**

7.1 - FPL/2021/136 – Wylfa, Bangor Road, Benllech

[https://ioacc.force.com/s/papplication/a1G4H00000OKf7JUAT/fpl2021136?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G4H00000OKf7JUAT/fpl2021136?language=en_GB)

## **8 ECONOMIC APPLICATIONS**

None to be considered by this meeting.

## **9 AFFORDABLE HOUSING APPLICATIONS**

None to be considered by this meeting.

## **10 DEPARTURE APPLICATIONS\_ (Pages 17 - 22)**

10.1 – VAR/2021/39 – Penmynydd, Llanfwrog

[https://ioacc.force.com/s/papplication/a1G4H00000OKDAeUAP/var202139?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G4H00000OKDAeUAP/var202139?language=en_GB)

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

None to be considered by this meeting.

## **12 REMAINDER OF APPLICATIONS\_ (Pages 23 - 104)**

12.1 – VAR/2021/38 – Trysglwyn Wind Farm, Rhosybol

[https://ioacc.force.com/s/papplication/a1G4H00000OKCetUAH/var202138?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G4H00000OKCetUAH/var202138?language=en_GB)

12.2 – FPL/2021/298 - St Seiriol's Communal Lounge, St Seiriols Close, Holyhead

[https://ioacc.force.com/s/papplication/a1G4H00000QbIxOUAV/fpl2021298?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G4H00000QbIxOUAV/fpl2021298?language=en_GB)

12.3 – FPL/2021/299 – Bryn Tirion, Beaumaris

[https://ioacc.force.com/s/papplication/a1G4H00000QbIxTUAV/fpl2021299?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G4H00000QbIxTUAV/fpl2021299?language=en_GB)

12.4 – FPL/2021/285 - Gerddi Stanley, Beaumaris

[https://ioacc.force.com/s/papplication/a1G4H00000Qb6n1UAB/fpl2021285?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G4H00000Qb6n1UAB/fpl2021285?language=en_GB)

12.5 – FPL/2021/297 - Tre Rhosyr Communal Lounge, Newborough

[https://ioacc.force.com/s/papplication/a1G4H00000QbIxJUAV/fpl2021297?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G4H00000QbIxJUAV/fpl2021297?language=en_GB)

12.6 – MAO/2021/32 - Beaumaris Social Club, Steeple Lane, Beaumaris

[https://ioacc.force.com/s/papplication/a1G4H00000QbvXGUAZ/mao202132?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G4H00000QbvXGUAZ/mao202132?language=en_GB)

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12.7 – DIS/2021/101 - Beaumaris Social Club, Steeple Lane, Beaumaris

[https://ioacc.force.com/s/papplication/a1G4H00000QbvSWUAZ/dis2021101?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G4H00000QbvSWUAZ/dis2021101?language=en_GB)

12.8 – DIS/2021/102 - Beaumaris Social Club, Steeple Lane, Beaumaris

[https://ioacc.force.com/s/papplication/a1G4H00000QbvSbUAJ/dis2021102?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G4H00000QbvSbUAJ/dis2021102?language=en_GB)

12.9 – TPO/2021/31 – Dingle, Llangefni

[https://ioacc.force.com/s/papplication/a1G4H00000QcDjxUAN/tpo202131?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G4H00000QcDjxUAN/tpo202131?language=en_GB)

12.10 – FPL/2021/276 - Burgess Agricultural Engineers, Bridge Street, Llangeni

[https://ioacc.force.com/s/papplication/a1G4H00000Q5hmVUAR/fpl2021276?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G4H00000Q5hmVUAR/fpl2021276?language=en_GB)

12.11 – ADV/2021/9 - Block E, Penrhos Industrial Estate, Holyhead

[https://ioacc.force.com/s/papplication/a1G4H00000Q3WLFUA3/adv20219?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G4H00000Q3WLFUA3/adv20219?language=en_GB)

12.12 – FPL/2021/304 - The Lodge, Capel Bach, Rhosybol

[https://ioacc.force.com/s/papplication/a1G4H00000QbNP3UAN/fpl2021304?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G4H00000QbNP3UAN/fpl2021304?language=en_GB)

12.13 – FPL/2021/302 - Bunwerth, Trearddur Bay, Holyhead

[https://ioacc.force.com/s/papplication/a1G4H00000QbN4uUAF/fpl2021302?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G4H00000QbN4uUAF/fpl2021302?language=en_GB)

12.14 – VAR/2021/63 - Llanfachraeth Primary School, Llanfachraeth

[https://ioacc.force.com/s/papplication/a1G4H00000Q3QycUAF/var202163?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G4H00000Q3QycUAF/var202163?language=en_GB)

12.15 – MAO/2021/31 – Rhyd y Groes Wind Farm, Cemaes

[https://ioacc.force.com/s/papplication/a1G4H00000QbICdUAN/mao202131?language=en\\_GB](https://ioacc.force.com/s/papplication/a1G4H00000QbICdUAN/mao202131?language=en_GB)

### **13 OTHER MATTERS**

None to be considered by this meeting.

## PLANNING AND ORDERS COMMITTEE

### Minutes of the virtual meeting held on 1 December, 2021

- PRESENT:** Councillor Nicola Roberts (Chair)  
Councillor Richard O. Jones (Vice-Chair)
- Councillors John Griffith, Glyn Haynes, Trefor Lloyd Hughes MBE, Kenneth Hughes, Eric Wyn Jones, Dafydd Roberts, Ieuan Williams.
- Local Members: Councillors Aled M. Jones (application 7.1), Alun Roberts (application 12.1)
- IN ATTENDANCE:** Chief Planning Officer (DFJ)  
Development Management Manager (RLIJ)  
Planning Built and Natural Environment Manager (JIW)  
Senior Planning Officer (CR)  
Senior Planning Officer (JBR)  
Development Management Engineer (Highways) (WIH)  
Legal Services Manager (RJ)  
Committee Officer (ATH)
- APOLOGIES:** Councillors Vaughan Hughes and Robin Williams
- ALSO PRESENT:** Councillor Richard Dew (Portfolio Member for Planning and Public Protection), Councillor Llinos Medi (Leader of the Council) Business Systems Manager (EW), Mr Gareth Williams (Local Democracy Reporter)
- 

#### 1. APOLOGIES

The apologies for absence were presented and noted as listed above.

#### 2. DECLARATION OF INTEREST

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

Mr Dewi F. Jones, Chief Planning Officer declared a personal and prejudicial interest with regard to application 11.2 on the agenda.

#### 3. MINUTES OF THE PREVIOUS MEETING

The minutes of the previous virtual meeting of the Planning and Orders Committee held on 3 November, 2021 were presented and were confirmed as correct.

#### 4. SITE VISITS

No site visits were convened following the 3 November, 2021 meeting of the Planning and Orders Committee.

## **5. PUBLIC SPEAKING**

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

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

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

## **7. APPLICATIONS ARISING**

### **7.1 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 had been 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 application site; a virtual site visit subsequently took place on 20 October, 2021. At its meeting held on 3 November, 2021 the Committee resolved to approve the application contrary to the Officer's recommendation on the grounds that as a rural enterprise it contributes to the economic prosperity and viability of the community; because it was not considered it would result in any overly harmful effects on the AONB and on condition that any permission granted limits the use of the hut to the applicant only.

The Chief Planning Officer reported that in accordance with the requirements of the Constitution the report addresses the reasons put forward by the Committee at its previous meeting for approving the application contrary to the Officer's recommendation and confirms the Officer's recommendation of refusal because the proposal is considered contrary to policy in not being a subservient element of an existing business on the site; in resulting in an unacceptable and unjustified development of an isolated retail outlet in the open countryside and as such neither conserving or enhancing the special qualities and features of the designated AONB.

Councillor Aled Morris Jones, a Local Member reiterated his support for the proposal as a modest development providing a valued local service which by virtue of its limited scale would not in his view result in any harmful effects on the surrounding area nor on amenities. He asked the Committee to keep to its previous decision to approve the application.

Councillor Eric Jones highlighted that the pandemic had seen a number of wooden huts being built across the Island as garden rooms, Wendy houses and man caves and that he thought the proposal was no different to those structures. He pointed out that the petition and letters of support from the locality attest to the strength of feeling in favour of the proposal within the community.

Councillor Kenneth Hughes proposed that the Committee reaffirm its approval of the application contrary to the Officer's recommendation and the proposal was seconded by Councillor Eric Jones.

The Chief Planning Officer advised that should the Committee be minded to reaffirm its approval of the application, then consideration needs to be given to the conditions to be attached to consent. In further clarification, the Officer said that the conditions would serve to manage the development in the usual way as well as being tailored to reflect the Committee's reasoning for approval, namely to limit the use of the hut to the applicant only; the range of goods to be sold on site in order to ensure the link with the diversification project and Nant y Fran Farm, as well as conditions to mitigate the development's visual

impact by way of landscaping, external lighting, and the structure's finish. The Officer said that if Members are amenable to imposing conditions such as these, then he would ask the Committee to delegate authority to the Officers to apply those conditions to the consent in consultation with the Chair and Vice-Chair.

Following consideration and further confirmation of the purpose of the conditions, Councillor Kenneth Hughes as the proposer said that he was happy to be guided by the Officer in the matter of the planning conditions; Councillor Eric Jones in confirming the same said however that it was important to ensure that conditions are fair and that they do no nothing to impede the success of the venture.

**It was resolved to reaffirm the Committee's previous approval of the application contrary to the Officer's recommendation and to delegate to the Officers the authority in consultation with the Chair and Vice-Chair, to apply conditions to the consent as advised.**

## **8. ECONOMIC APPLICATIONS**

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

## **9. AFFORDABLE HOUSING APPLICATIONS**

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

## **10. DEPARTURE APPLICATIONS**

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

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

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

The application was reported to the Planning and Orders Committee as the applicants are related to a Local Member.

*Having declared a personal and prejudicial interest with regard to the application, Councillor Dafydd Roberts withdrew from the meeting during the discussion and determination thereof.*

The Development Management Manager reported that 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 key issue is 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. With applications such as this, planning policies are not material to the outcome of the application and so the application should be determined upon the evidence presented. Outline planning permission for the erection of a dwelling was granted in 1989 and reserved matters approval was subsequently granted in 1990 subject to conditions. 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. It is also considered that the development has not been constructed in accordance with the requirements of the 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 evidence submitted alleges that work commenced in November, 1990 and that the property was first occupied in October, 2000. The Authority's Legal Section having been consulted on the application, has come to the conclusion that on the balance of probability, the conditions have been breached for over 20 years. The Town and Country Planning Act 1990 sets time limits within which enforcement action can be taken to the effect that a development is not liable to enforcement action at the end of 4 years from the date the operations were substantially completed and for any other breach of planning control (other than operational development or a change of use of a building or use to a single dwelling house), the time limit is at the end of a period of 10 years from the date of the breach. In conclusion therefore, 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 in respect of the conditions could now be taken and that the applicants are entitled to a certificate confirming the lawfulness of the development. The recommendation is therefore to approve the application.

Councillor Eric Jones proposed, seconded by Councillor Nicola Roberts, that the application be approved in accordance with the Officer's recommendation.

**It was resolved to approve the application for a Certificate of Lawfulness of Existing Use and Development in accordance with the Officer's recommendation and report.**

**11.2 FPL/2021/136 – Full application for the conversion of the outbuilding into a holiday letting unit together with alterations and extensions thereto at Wylfa, Bangor Road, Benllech**

The application was presented to the Planning and Orders Committee as the applicant is related to a "relevant officer" as defined within paragraph 4.6.10 of the Council's Constitution. The application has been scrutinised by the Council's Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

*Having declared a personal and prejudicial interest with regard to the application, Mr Dewi F. Jones, Chief Planning Officer withdrew from the meeting during the discussion and determination thereof.*

The Chair informed the Committee that Councillor Margaret M. Roberts, a Local Member had contacted her to request that the Committee in light of local support for the proposal, conduct a site visit to allow members to see the application site within its context for themselves.

Councillor Richard Owain Jones proposed, seconded by Councillor John Griffith, that a virtual site visit be undertaken.

**It was resolved that a virtual site visit be undertaken in accordance with the Local Member's request for the reason given.**

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

The application was presented to the Planning and Orders Committee because 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 was considered prudent to report the application to the Committee for determination. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Council's Constitution.

The Planning Built and Natural Environment Manager reported that the proposal involves the installation of a septic tank with soakaway and associated pipework on land to the north west of Parciau. The key consideration is whether the works can be adequately accommodated within the application site without adversely impacting on local amenity and the wider environment. With regard to visual impact, although the installation work has the potential for minor visual impacts, given the location and existing natural screening it is unlikely that these would affect neighbouring residents and in any event they would only be short term. No lasting visual impacts will arise as a result of the proposed development. No objections to the proposal have been raised locally or by the statutory consultees and no impacts on local amenity are envisaged. The proposal is considered acceptable in policy terms and the recommendation is therefore to approve the application.

Councillor Kenneth Hughes proposed, seconded by Councillor Richard Owain 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 set out therein.**

#### **11.4 MAH/2021/9 – Minor amendments to scheme previously approved under planning permission FPL/2020/73 so as to amend the annex windows and to install solar panels at Parciau, Llanddaniel**

The application was presented to the Planning and Orders Committee because 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 was considered prudent to report the application to the Committee for determination. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Council's Constitution.

The Planning Built and Natural Environment Manager reported that the proposal involves amendments to the extension's fenestration from that previously approved as well as the installation of solar panels to the extension's roof. The key consideration is whether the works can be adequately accommodated within the application site without adversely impacting upon local amenity and the wider environment. The proposed amendments to the fenestration include the replacement of one of the first floor windows to the north-eastern part of the front elevation of the extension 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 solar panels will be affixed to the roof planes of the extension facing and projecting towards the public highway and will project 35 mm therefrom. The impacts generated by the amendments to the previously approved scheme are considered negligible in terms of design and visual impact and also as regards their potential impact upon the amenities of neighbouring residents with the nearest dwelling located in excess of 150m from the application site and screened by mature trees and hedgerows. It therefore recommended that the application be approved.

Councillor Eric Jones proposed, seconded by Councillor Dafydd Roberts 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 set out therein.**

## **12. REMAINDER OF APPLICATIONS**

### **12.1 LBC/2021/29 – Listed Building Consent for the refurbishment of the male and female toilets at Haulfre Gardens Unit, Haulfre, Llangoed**

The application was reported to the Planning and Orders Committee as it relates to land in the Council's ownership.

The Planning Built and Natural Environment Manager reported that the proposal is for listed building consent for internal alterations for the refurbishment of the male and female toilets at the Haulfre Gardens Unit. The proposals as described in the report 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 future. The recommendation is therefore to approve the application subject to conditions and subject also to amending the wording of condition (02) to reflect the fact that the application is for listed building consent, rather than planning consent.

Councillor Alun Roberts speaking as a Local Member said that he welcomed the proposal and that he and the local community hoped that the proposed alterations would lead to increased and better use of Haulfre Gardens as a significant and historically valuable resource.

Councillor John Griffith 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 set out therein and to amending the wording of condition (02) as outlined.**

#### **12.2 FPL/2021/196 – Full application for the erection of new structure to provide a roof over the existing farmyard manure store at Fron Heulog, Cemaes**

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

The Development Management Manager reported that 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. He confirmed that having considered the proposal against the relevant policies of the Joint Local Development Plan as outlined within the report, it is the Officer's view that it is acceptable in terms of siting and design and 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. The recommendation is therefore one of approval.

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 set out therein.**

#### **12.3 FPL/2021/178 – Full application for the erection of 7 business units together with landscaping and associated development at Former Heliport Site, Penrhos Industrial Estate, Penrhos, Holyhead**

The application was reported to the Planning and Orders Committee as it submitted on behalf of the Authority.

The Development Management Manager outlined the main planning considerations in connection with the application based on the principle of development; the impact of the proposed development on the character and appearance of the area and Area of Outstanding Natural Beauty; its effect upon the amenities of neighbouring properties and highway safety. Having thus assessed the proposal, it is the Officer's view that the principle

of the development aligns with both national planning policy and the Joint Local Development Plan. The proposal is considered acceptable in technical terms and there will be no resulting harm to the amenities of the locality nor the nearby Area of Outstanding Natural Beauty. The recommendation is therefore to approve the application.

Councillor Glyn Haynes, speaking as a Local Member welcomed the proposal as one that could bring additional jobs to the area and as being in keeping with the surrounding units which are all of high quality. He 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 set out therein.**

### **13. OTHER MATTERS**

#### **13.1 DEM/2021/13 – Application to determine whether prior approval is required for the demolition of garages at Thomas Close, Beaumaris**

The application was reported to the Planning and Orders Committee as it relates to Council owned land.

The Development Management Manager reported that the application is to demolish a row of 23 domestic type semi-dilapidated vehicular garages at the Thomas Close residential estate in Beaumaris. The garages have become surplus to requirements and due to their construction do not lend themselves to re-development. It is proposed that the site be left as an open area following demolition. Under the Town and Country Planning (General Permitted Development) Order 1995 the demolition of buildings does not require planning permission providing the developer first applies to the Local Planning Authority for a determination as to whether prior approval is required in respect of the method of demolition and any proposed restoration of the site. Under this process, the Local Planning Authority was afforded a 28 day period to come to a determination and has confirmed within that period that its prior approval will not be required. The proposed method of demolition has been noted in the application form and is outlined within the report; this and the subsequent restoration of the site are expected to be considered acceptable. In conclusion, the application has been considered by the Council 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.

Councillor Trefor Lloyd Hughes, MBE proposed, seconded by Councillor Dafydd Roberts that the application be approved.

**It was resolved to approve the application as permitted development in accordance with the Officer's report and the details presented therein.**

#### **13.2 DEM/2021/4 – Prior approval for the proposed demolition of two garages at Hampton Way, Llanfaes**

The application was reported to the Planning and Orders Committee as it relates to Council owned land.

The Development Management Manager reported that the application is to demolish a row of 2 domestic type semi-dilapidated vehicular garages at the Hampton Way residential estate in Llanfaes. The garages have become surplus to requirements and due to their construction do not lend themselves to re-development. It is proposed that the site be left as an open area following demolition. As with the previous application, under the Town and Country Planning (General Permitted Development) Order 1995 the demolition of buildings does not require planning permission providing the developer first applies to the Local Planning Authority for a determination as to whether prior approval is required in respect of

the method of demolition and any proposed restoration of the site. Under this process, the Local Planning Authority was afforded a 28 day period to come to a determination and has confirmed within that period that its prior approval will not be required. The proposed method of demolition has been noted in the application form and is outlined within the report; this and the subsequent restoration of the site are expected to be considered acceptable. In conclusion, the application has been considered by the Council 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.

Councillor Eric Jones proposed, seconded by Councillor Kenneth Hughes that the application be approved.

**It was resolved to approve the application as permitted development in accordance with the Officer's report and the details presented therein.**

**Councillor Nicola Roberts  
Chair**

## PLANNING SITE VISIT

### Minutes of the virtual meeting held on 15 December, 2021

- PRESENT:** Councillor Nicola Roberts (Chair)  
Councillor Richard Owain Jones (Vice-Chair)
- Councillors Glyn Haynes, Trefor Lloyd Hughes, MBE  
Dafydd Roberts, Robin Williams.
- IN ATTENDANCE:** Senior Planning Officer (JR)  
Development Management Engineer (Highways) (WIH)  
Committee Officer (ATH)
- APOLOGIES:** Councillors John Griffith and Ieuan Williams
- ALSO PRESENT:** Local Member: Councillor Margaret M. Roberts
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**1. FPL/2021/136 – Full application for the conversion of the outbuilding into a holiday letting unit together with alternations and extensions thereto at Wylfa, Bangor Road, Benllech**

Members were shown a video of the application site which showed the subject outbuilding in relation to the applicant's dwelling, access and road leading thereto. The existing outbuilding was shown as comprising 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 Senior Planning Officer referred to the proposed conversion and alterations and what they entailed.

The Local Member commented that the proposal involves making alternative use of a building that is in need of repair and renewal highlighting that the conversion can be comfortably accommodated within the space available.

Members sought clarification of matters relating to access, parking and the structural viability of the existing outbuilding.

**Councillor Nicola Roberts  
Chair**



**Planning Committee:** 12/01/2022

**7.1**

**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.

At the meeting held on the 1st December 2021, members resolved to visit the site. The virtual site visit took place on the 15th December 2021 and members will now be familiar with the site.

## 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
Cynghorydd Vaughan Hughes	No response at the time of writing the report.
Cynghorydd Ieuan Williams	No response at the time of writing the report.
Cynghorydd Margaret Murley Roberts	No response at the time of writing the report.
Cyngor Cymuned Llanfair Mathafarn Eithaf Community Council	No response at the time of writing the report.
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Comments/advice.

Iechyd yr Amgylchedd / Environmental Health	Comments.
Priffyrdd a Trafnidiaeth / Highways and Transportation	Comments/conditions
Draenio Gwynedd / Gwynedd Drainage	The unit has no observations to offer in terms of land drainage or local flood risk
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	No response at the time of writing the report.
Dwr Cymru Welsh Water	CommentsCondition.
Ymgynghorydd Tirwedd / Landscape Advisor	Comments.
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objection/advice.

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 not trigger a requirement 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).**

**Planning Committee:** 12/01/2022

**10.1**

**Application Reference:** VAR/2021/39

**Applicant:** Mr James Sayle

**Description:** Application under Section 73A for the variation of condition (09) (Approved Plans) of planning permission reference 29C39D (renewal of conversion of outbuildings to 4 holiday units) so as to allow additional family space to units at

**Site Address:** Penmynydd, Llanfwrog, Holyhead



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

**Recommendation:** Permit

### Reason for Reporting to Committee

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

### Proposal and Site

The application is for variation of condition (09) (Approved Plans) of planning permission reference 29C39D (renewal of conversion of outbuildings to 4 holiday units) so as to allow an additional family space to each unit after work has commenced on the vehicular access to the site.

## Key Issues

The key issue is whether the proposal would have a negative impact on the previously approved dwellings and the surrounding area.

## Policies

### Joint Local Development Plan

PCYFF2 – Development Criteria

PCYFF3 – Design and Place Shaping

PCYFF4 – Design and Landscaping

AMG1 – Area of Outstanding Natural Beauty Management Plans

TAI7 - Conversion of Traditional Buildings in the Open Countryside to Residential Use

Supplementary Planning Guidance - Replacement Dwellings and Conversions in the Countryside

## Response to Consultation and Publicity

Consultee	Response
Cynghorydd John Griffith	No observations to date
Cynghorydd Kenneth P. Hughes	No observations to date
Cynghorydd Llinos Medi Huws	No observations to date
Cyngor Cymuned Llanfaethlu Community Council	No observations to date
Ymgynghorydd Tirwedd / Landscape Advisor	The scale and nature of the proposal would not affect natural beauty, AONB features or special qualities related to landscape. Google streetview images (2010 below bottom) indicate that some of the elevations are open to public views. The retention of the boundary hedgerow is not shown on the current block plan. With regard to the SPG design guidance you should consider whether the design of the proposed sunrooms respect the guidance on conversions.
Iechyd yr Amgylchedd / Environmental Health	Advice for applicant.
Dwr Cymru/Welsh Water	No comments to make on this application.
Priffyrdd a Trafnidiaeth / Highways and Transportation	No objections.
Draenio Gwynedd / Gwynedd Drainage	The unit has no observations to offer in terms of land drainage or local flood risk.
Swyddog Cefn Gwlad a AHNE / Countryside and AONB Officer	No observations to date.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	There are no ecological issues relating to the proposed sun rooms.
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objection.

Neighbour notification letters were sent out to neighbouring properties, an advert was published in the newspaper and the expiry date for receiving representations was the 03/11/2021. At the time of writing this report no letters have been received. It is not considered that the proposal will have a negative impact upon neighbouring properties.

### **Relevant Planning History**

29C39 - Erection of a dwelling on part of O.S. enclosure 86200, near Penmynydd Farm, Llanfwrog.  
APPROVED - 14/03/1990

29C39A - Erection of an agricultural dwelling on part O.S. 0002 near Penmynydd Farm, Llanfwrog.  
WITHDRAWN - 02/10/1991

29C39B - Conversion of outbuildings into 4 holiday units together with the construction of a vehicular access and installation of a private treatment plant at Penmynydd, Llanfwrog.  
APPROVED - 08/04/2008

29C39C - Full application for the demolition of the existing agricultural buildings together with the change of use of the outbuilding into a holiday unit at Penmynydd, Llanfwrog Withdrawn 12/10/2012

29C39D - Full application for the renewal of planning permission 29C39B for the conversion of outbuildings into 4 holiday units together with the construction of a vehicular access and installation of a private treatment plant together with the variation of condition (04) of planning permission 29C39B to allow for full time accommodation of the previously approved 4 units as dwellings and the conversion of an outbuilding into a dwelling at Penmynydd, Llanfwrog Approved 02/07/2013

29C39E/DIS - Application to discharge conditions (07) (location of the internal and external nesting boxes/nest cups) and (08) (full details of all fencing, walling or other means of enclosure or demarcation) of planning permission 29C39D at Penmynydd, Llanfwrog. Condition Discharged 13/08/2018

LUP/2020/7 - Application for a certificate of proposed use or development in relation to a material start having been made on permission 29C39D thus safeguarding the consent on land at Penmynydd, Llanfwrog, Holyhead. Permit 27/08/2020

### **Main Planning Considerations**

The principle of developing the site has already been established under planning application reference 29C39D where permission was granted for the renewal of planning permission 29C39B for the conversion of outbuildings into 4 holiday units together with the construction of a vehicular access and installation of a private treatment plant together with the variation of condition (04) of planning permission 29C39B to allow for full time accommodation of the previously approved 4 units as dwellings and the conversion of an outbuilding into a dwelling on the 02/07/2013. An application for a certificate of proposed use was deemed lawful in which the applicant confirmed worked had commenced on site and therefore safeguarded planning permission reference 29C39D

### **Supplementary Planning Guidance - Replacement Dwellings and Conversions in the Countryside**

The SPG states that extensions to converted outbuildings should be suitable with no extensive extensions required to enable the development. It also states that small additions to the original outbuilding can be justified as long as the extensions are designed in a sensitive way in keeping with the original building and are not an aspirational or luxurious addition to the dwelling.

### **Joint Local Development Plan**

Policy TAI7 of the Joint Local Development Plan states that conversion of traditional buildings for residential use will only be permitted for employment use, if this is not an option, the development could

provide an affordable unit. However, as the application site has an safeguarded the previous planning permission the following must be considered:-

- Is there a likelihood that the existing permission can be implemented.
- Are the amendments to the permission considered to enhance complement the previously approved.

Application reference 29C39D was approved on the 02/07/2013 and has been safeguarded by commencing work on the new vehicular access. This commencement of work was confirmed in an application for a certificate of proposed use application reference LUP/2020/7 and was deemed lawful.

The amendments are proposed in the current application as follows:-

- Erection of a small extension to the each of the 4 residential dwellings, measuring 3m long x 4m wide x ranging from 3.9m to 4.4m in height due to different ground floor levels.

Two of the extensions are sited on the Western elevation of one of the converted outbuildings while the other two extensions are sited on the Southern elevation of the second converted outbuilding.

The existing two outbuildings floor area measures a total of 462 square metres with the total floor area of the 4 extensions measuring a total of 48 square metres which is less than a 10% increase in the total floor area. This is considered reasonable as the original planning permission did not include any extensions to the outbuildings.

The small sun room extension is considered a reasonable addition to the converted outbuildings and would not harm the existing character or surrounding AONB.

The design and appearance of the extensions is considered reasonable with the pitched roof design and the proposed material choices matching the previously approved converted outbuilding.

## **Conclusion**

The application is contrary to Policy TA17 of the Joint Local Development Plan but has been safeguarded through commencement of works on site and an application reference LUP/2020/7 for a certificate of proposed use was deemed lawful.

The amendment to the previously approved conversion by erecting 4 small extensions is considered reasonable as it complies with Policies PCYFF2, PCYFF3, PCYFF4 and AMG1 of the Joint Local Development Plan and the guidance within the SPG - Replacement Dwellings and Conversions in the Countryside.

## **Recommendation**

That the application is permitted subject to the following conditions:

**(01) The access and splays shall be completed prior to the occupation of the units hereby approved unless otherwise agreed in writing by the local planning authority.**

Reason: In the interest of highway safety.

**(02) All window frames, doors and frames, fascia and soffits shall be constructed of painted timber.**

Reason: In the interests of amenity.

**(03) Natural slates of uniform colour shall be used as the roofing material of the proposed building(s).**

Reason: In the interests of amenity.

**(04) No works on the conversion of the existing buildings shall be undertaken between 1st March and 30th September in any year unless the buildings have been checked by a qualified ecologist for nesting birds and the results made available to the local planning authority. Where nesting birds are found, no works shall be undertaken until the birds have fledged.**

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

**(05) Any further structural alterations which may be required to be carried out to the building, and which would be likely to affect its external appearance, consequent upon the implementation of this permission, shall form the subject of an application which shall be submitted to and approved by the local planning authority before any work is commenced on such alterations.**

Reason: For the avoidance of doubt.

**(06) Work shall proceed in accordance with the Penmynydd, Llanfwrog, Anglesey – Nesting Bird Survey: Swallow and House Martin Mitigation Report – Enfys Ecology - Version 1 – Dated 29/05/2018 submitted under planning application reference 29C39E/DIS.**

Reason: To safeguard protected species - bats and birds.

**(07) The details of all fencing, walling and other means of enclosure and demarcation shall proceed in accordance with the Proposed Drawings – Site Layout Plan – Plan ref: ERW/19.06.2018 – Received 19/06/2018 with planning application 29C39E/DIS. The works shall be erected following completion of the buildings or the completion of the development, whichever is the sooner.**

Reason: To protect the amenities of nearby residential occupiers.

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

- Location Plan – ERW/09/03/13 – Received 11/03/2013 with planning application 29C39D
- Proposed foul water and surface water drainage, parking areas and visibility splays only shown on Proposed Drawings – Site Layout Plan – PL 01-02 – Dated 04/07/2012 – Received 11/03/2021 with planning application 29C39D
- Proposed Drawings – Building E/5 – PL 01-01 – Dated 22/12/2011 – Received 11/03/2013 with planning application 29C39D
- Site Block Plan – A-00-02 – Dated 05/05/2021 – Received with planning application VAR/2021/39
- Proposed Plans and Elevations Units 1-2 – A-03-01 – Dated 26/04/2021 - Received with planning application VAR/2021/39
- Proposed Plans and Elevations Units 3-4 – A-03-02 – Dated 26/04/2021 - Received with planning application VAR/2021/39
- Structural Survey – J McKernon and Co Ltd – Dated 28/01/2013 – Received with planning application 29C39D
- Structural Survey – Datrys – Dated 22/07/2012 - Received with planning application 29C39D
- Protected Species Survey – Clwydian Ecology – Dated 01/05/2013 - Received with planning application 29C39D
- Ongoing Ecology Mitigation at Penmynydd, Llanfwrog, Anglesey – Green Man Ecology – Dated 08/09/2021 - Received with planning application VAR/2021/39

· **Proposed Fencing, walling and other means of enclosure only shown on Proposed Drawings – Site Layout Plan – Plan ref: ERW/19.06.2018 – Received 19/06/2018 with planning application 29C39E/DIS**

· **Penmynydd, Llanfwrog, Anglesey – Nesting Bird Survey: Swallow and House Martin Mitigation Report – Enfys Ecology - Version 1 – Dated 29/05/2018 submitted under planning application reference 29C39E/DIS**

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

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

Reason: In the interests of residential and visual amenity.

The applicant is advised that if any bats are discovered at any stage during the works, all work should stop immediately and CNC / NRW contacted for further advice.

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:** 12/01/2022

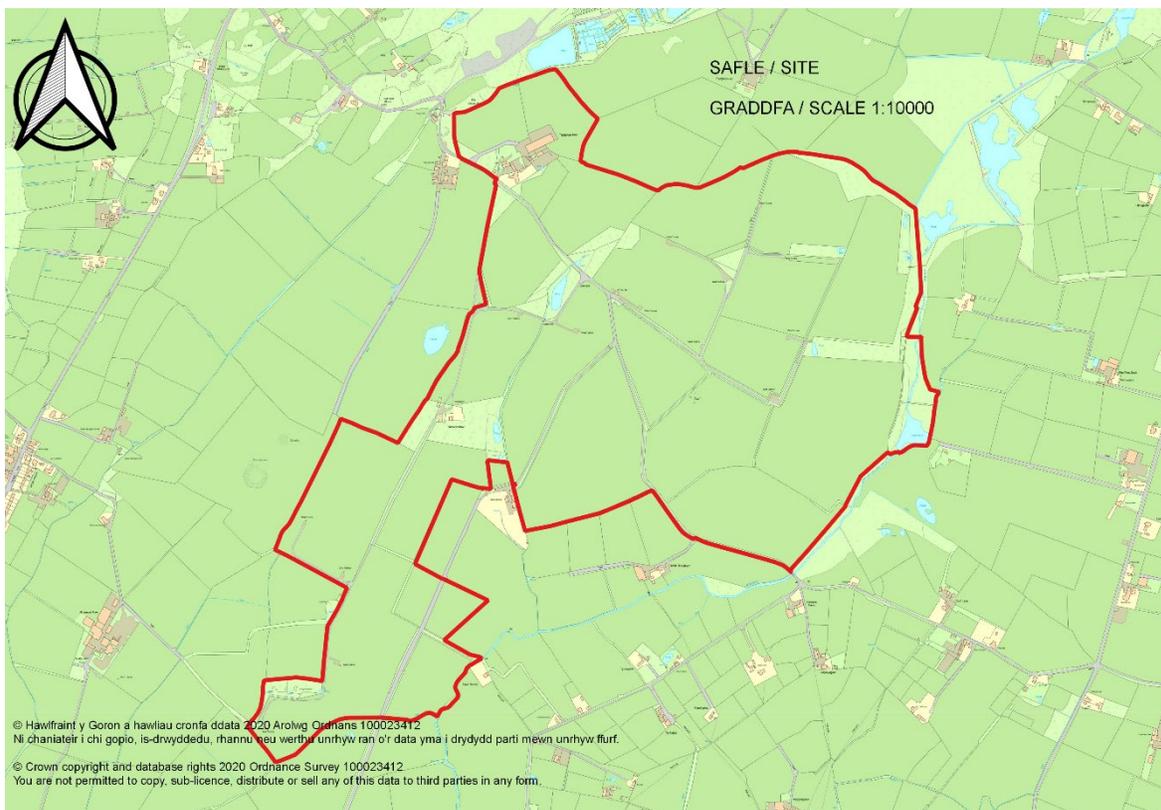
**12.1**

**Application Reference:** VAR/2021/38

**Applicant:** Ventient Energy Limited

**Description:** Application under Section 73 for the variation of conditions 15 and 16 of planning permission reference APP45-36 (permission on appeal) which permitted the construction of 15 wind turbines on land at Trysglwyn Fawr, Rhosybol so as to extend the operational phase of 14 turbines constructed on site for a further period of 10 years up to 29.6.31, extend the period where the farm needs to be decommissioned as well as extend the period where a turbine needs to be dismantled if it is not producing electricity to the local grid at

**Site Address:** Trysglwyn Windfarm, Rhosybol



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

As the application is accompanied by an addendum to an Environmental Impact Assessment it shall be referred to the Planning and Orders Committee for determination in accordance with paragraph 3.5.3.5(ii) of the Constitution.

## **Proposal and Site**

The application is submitted for the variation of conditions 15 and 16 of planning permission APP45-36 granted on appeal which permitted the construction of 14 wind turbines on land at Trysglwyn Fawr, Rhosybol. The application proposes to extend the operational phase of the turbines for a further period of 10 years up to 29.06.2031. The proposal would also extend the period where the farm needs to be decommissioned as well as extend the period where a turbine needs to be dismantled if it is not producing electricity to the local grid.

The application site is located towards the north east corner of Anglesey, approximately 5km south from Amlwch. The application site is characterised by open fields and is predominately in agriculture use for grazing and arable purposes. There is a dispersed pattern of villages, clusters, singles houses and farms within the area.

Following receiving permission on appeal in 1993, the farm became fully operational on the 30th June, 1996. The 14 turbines have a tip height of 43.5 meters, 25 meter hub height, 37 meter rotor diameter with a totally installed capacity of 5.6 megawatt. The structures are scattered across the 3.5 kilometre<sup>2</sup> application site, with the majority clustered towards the north.

An Environmental Impact Assessment (EIA) addendum has been prepared in line with EIA Regulations 2017 and submitted as part of the application. The EIA provides further information to identify the potential significant effect and cumulative impacts as a result of the life extension of the development.

## **Key Issues**

Whether or not the proposal is justified in this location, complies with local and national policies and whether the proposal will have a detrimental impact upon any nearby designates sites, neighbouring residential properties and surrounding landscape.

## **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  
Strategic Policy PS 5: Sustainable Development  
Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change  
Strategic Policy PS 7: Renewable Energy Technology  
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment  
Strategic Policy PS 16: Housing Provision  
Strategic Policy PS 20: Preserving and where Appropriate Enhancing Heritage Assets  
Strategic Policy PS 1: Welsh Language and Culture  
Strategic Policy PS 2: Infrastructure and Developer Contributions  
Policy AMG 1: Area of Outstanding Natural Beauty Management Plans  
Policy AMG 2: Special Landscape Areas  
Policy AMG 3: Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character  
Policy AMG 4: Coastal Protection  
Policy AMG 6: Protecting Sites of Regional or Local Significance  
Policy AMG 5: Local Biodiversity Conservation  
Policy AT 1: Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens

Policy AT 3: Locally or Regionally Significant Non-Designated Heritage Assets  
 Policy AT 4: Protection of Non-Designated Archaeological Sites and their Setting  
 Policy ADN 1: On-shore Wind Energy

Planning Policy Wales (Edition 11, February 2021)

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

Technical Advice Note 11: Noise (1997)

Technical Advice Note 24: The Historic Environment (2017)

### Response to Consultation and Publicity

Consultee	Response
Cyngor Cymuned Rhosybol Community Council	No Response
Cynghorydd Richard Owain Jones	No Response
Scottish Power Energy Networks	No Response
Cynghorydd Richard Griffiths	No Response
Cynghorydd Aled Morris Jones	No Response
Ymgynghorydd Treftadaeth / Heritage Advisor	Proposed development likely to have a moderate impact on the setting of Listed Buildings but unlikely to have a significant impact.
Iechyd yr Amgylchedd / Environmental Health	No Objection. Conditions proposed with respect to noise
Diogelu – Y Weinyddiaeth Amddiffyn / MOD Safeguarding	No Objection
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Enhancement and mitigation measures proposed as part of application,.
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Policy comments within main core of the report
Ymgynghorydd Tirwedd / Landscape Advisor	The proposed development will have a significant adverse effects on landscape character within a 2 kilometre radius of the site and significant adverse visual effects on footpath, settlement and residential receptors within a range of 1.6 kilometres. Effects on the SLA are noted as significant affecting identified SLA qualities.
Wales and West Utilities	No Objection
Uned Datblygu Economaidd / Economic Development Unit	No Response
Cadw Scheduled Monuments	The proposed development will have a moderate, but not significant impact on the setting of nearby scheduled monuments.
GCAG / GAPS	The proposed development will have a moderate, but not significant impact on the setting of nearby scheduled monuments.

Cyfoeth Naturiol Cymru / Natural Resources Wales	Conditions proposed to safeguard protected species and to ensure the decommissioning process is adequately carried out.
North Wales Wildlife Trust	No Response
Swyddog Llwybrau Troed / Footpaths Officer	No Response
North Wales Police Headquarters	No Response
Arquiva Ltd	No Response
Gwasanaeth Tân Gogledd Cymru /North Wales Fire Service	No Observations
RSPB Cymru / Wales	No Response
Priffyrdd a Trafnidiaeth / Highways and Transportation	No Objection
National Grid	No Response

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties, together with site notices. A notice was also placed within the local newspaper. The latest date for the receipt of any representation was the 04/06/2021. At the time of writing this report, no letters of representation had been received.

### Relevant Planning History

44C110B – Full application for the erection of 14 wind turbines measured at 43.5 metre tip height, 25 metre hub height and 37 metre rotor diameter with a total installed capacity of 5.6 MW at Tryslwyn, Rhosybol - Appeal Granted 10/12/1993

SCO/2020/3 - Scoping opinion for extending the temporary planning permission so as to extend the operational life of the development by an additional 10 years at Tryslwyn, Rhosybol – Advice Provided 24/07/2020

### Main Planning Considerations

The application seek to extend the operational life of the wind farm by 10 years to 25 years, 35 years from the point of first generation which will expire on the 29th June, 2031. The applicant has submitted the application in an effort to maximise the wind farm generating potential. Although the life time was originally set at 25 years, if properly maintained turbines can operate beyond their original design life and contribute to the meeting of targets and supply of renewable power without the requirement for repowering.

Condition 15 of the appeal decision requires that if any wind turbine fails to produce electricity supplied to the local grid for a continuous period of 6 months then that turbine along with any ancillary equipment shall be dismantled down to ground level and removed from the site and the site reinstated for agricultural use within 3 months of the implementation of the removal. The application entails to increase the period before a wind turbine shall be decommissioned if it fails to produce continuous electricity from 3 to 9 months.

Condition 16 of the appeal decision requires that the turbines are removed from the site within 6 months of the turbines being decommissioned and become disused. The application also entails to extend the decommissioning period from 6 to 12 months, which is line with recent similar repowering consent at Rhyd y Groes Wind Farm.

There is no additional construction works proposed as the life extension can make use of all existing infrastructure. Extending the consent would however require ongoing and potentially additional maintenance work as the apparatuses gets older.

A number of designations were in place prior to the application for the existing wind farm being granted permission. The ES in support of the original application assessed the likely impact of the proposals on these designations. An ES addendum has been submitted with the current application addressing all matters to date which was referred to in the scoping opinion issued on the on the 24/07/2020.

The aim of the ES is to protect the environment and ensuring that, the Local planning Authority have all necessary information when deciding whether or not to grant planning permission for a project which is likely o have significant effect on the environment. In the event consent in granted the Local Authority does so in the full knowledge of the likely significant effects, and takes into account in the decision making process.

From review and assessment of the submitted ES addendum it is considered that sufficient Environmental Information has been provided in support of this application and that content of the ES provided is reflective of the Scoping Opinion. In determining this application, the Local Planning Authority has considered all information contained within the application and its associated ES in relation to the requirements of the Anglesey and Gwynedd Local Development Plan and any other relevant material considerations.

#### **Principle of development and Planning Policy:**

National and Local Development Plan policies provides guidance on such applications. Whilst there is an emphasis that renewable energy should be encouraged, proposed developments should not harm the surrounding area, designated sites and existing neighbouring properties.

#### **National Planning Policy:**

The principle strategic policy document for applications in Wales is Planning Policy Wales: Edition 11 (2021) (PPW), together with a number of Technical Advice Notes (TAN). In addition, the Welsh Government published 'Future Wales – the National Plan 2040' (Future Wales) in February 2021 which now forms part of the statutory development plan for Wales and seeks to guide decision making at a regional and local level.

PPW provides guidance on energy proposals. Section 5.9.29 PPW provides guidance in relation to extension and re-powering of existing renewable energy infrastructure:-

“5.9.29 The extension and re-powering of existing renewable energy infrastructure is important in meeting renewable energy and decarbonisation targets. Planning authorities should support such schemes and take into account changes in renewable energy technology and viability, which may mean, for example, that the format of a repowered wind farm will be different from an existing scheme. Planning authorities should set out broad criteria for the determination of life extension and re-powering applications, based on the additional impact of the new scheme.”

Future Wales acknowledges that Wales is abundant in opportunities to generate renewable energy and states that the Welsh Government is committed to maximising this potential. Generating renewable energy is a key part of their commitment to decarbonisation and tackling the climate emergency and refers to the ambitious targets set for the generation of renewable energy.

PPW Energy Section is in line with Future Wales by seeking to maximise renewable and low carbon energy generation stating that Local Authorities should facilitate all forms of renewable and low carbon energy development.

It states that developments should seek suitable ways to avoid, mitigate or compensate adverse impacts of renewable and low carbon energy developments.

Welsh Government's expectation for all new renewable energy projects in Wales to include at least an element of local ownership, to retain wealth and provide real benefit to communities. Locally owned generation provides a strong opportunity to retain economic value, contributing to prosperity.

In addition to the national and local policy framework, consideration should also include an assessment against the relevant legislative framework in Wales. In particular regard should be had to the Wellbeing of Future Generations Act 2015.

The Well-being of Future Generations Act requires Local Authorities in Wales to think about the long-term impact of their decisions, to work better with people, communities and each other, and to prevent persistent problems such as poverty, health inequalities and climate change. The Act requires Local Authorities to carry out sustainable development and places a legal duty on them to do so.

Part 2 of the Act defines sustainable development as "the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals". In this context, the sustainable development principle means that public bodies "must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own need".

The Planning (Wales) Act 2015 requires that any statutory body carrying out a planning function must exercise those functions in accordance with the principles of sustainable development as set out in the Wellbeing of Future Generations Act 2015.

The policies listed above provide a presumption in favour of renewable energy developments subject to detailed considerations. The impact from renewable energy development will also vary depending on their location and scale and require different development control considerations.

#### **Local Development Plan Policy:**

The Renewable Energy Technology section lies within Chapter 6.2 of the adopted Ynys Mon and Gwynedd Joint Local Development plan (JLDP). This gave the context for renewable energy at the time the Plan was prepared and contains positive planning policies for renewable energy.

Policy ADN 1 (On – Shore Wind Energy) within the Joint Local Development Plan (JLDP) deals with on-shore wind energy proposals, however the policy does not specifically refer to life extension applications.

The policy refers to wind turbine typology as outlined within table 9 of the explanation to the policy. This existing wind farm would be categorised as a Large Scale wind farm since there are over 10 turbines on the wind farm.

The basis for assessing the typology of wind farms acceptable within the Plan area was based upon the Landscape Sensitivity and Capacity Study commissioned for the Isle of Anglesey, Gwynedd and Snowdonia National Park. This study identified the type of development that could be potentially accommodated within different landscape character areas. However it should be noted that this specific wind farm was operational at the time of the Landscape Sensitivity and Capacity Study and therefore its life extension would not impact upon the capacity to accommodate further development within the character area as identified in this study.

In light of the above the suitability of the proposal can be considered against Policy ADN 1 of the JLDP. The policy states that all proposal should conform to the following criteria:

- i. all impacts on landscape character, heritage assets and natural resources have been adequately mitigated, ensuring that the special qualities of all locally, nationally and internationally important

landscape, biodiversity and heritage designations, including, where appropriate, their settings are conserved or enhanced;

- ii. the proposal will not result in significant harm to the safety or amenity of sensitive receptors including effect from noise, shadow flicker and impact on public health, and will not have an unacceptable impact on roads, rail or aviation safety;
- iii. the proposal will not result in significant harm to the residential visual amenities of nearby residents;
- iv. the proposal will not result in unacceptable electromagnetic interference to communications installations, radar or air traffic control systems, emergency services communications or other telecommunication systems;
- v. the proposal will not have unacceptable cumulative impacts in relation to existing wind turbines, and those which have permission, and other prominent landscape features;
- vi. turbines and associated infrastructure will, at the end of the operational life of the facility, be removed in accordance with a restoration and aftercare scheme submitted to and agreed by the Local Planning Authority.

The EIA addendum submitted as part of the application provides information which the Council's experts has evaluate to ascertain whether the proposal satisfies these matters. These matters are outlined within the report.

### **Welsh Language:**

Policy PS1 of the JLDP ensures the requirement to promote and support the Welsh Language. Guidance is provided within the policy relating to the requirement to submit a Welsh Language Statement / Impact Assessment for various types of development.

Since the footprint of the turbines and associated buildings has an area of more than 1,000 sq meters, a Welsh Language Statement has been submitted with the application.

As a wind farm already exists on the site, it is not considered that the proposal will have a significant effect on the Welsh Language. The greatest effect on the Welsh language will be the de-commissioning process once the active period comes to an end. This work will require additional workers which could possibly lead to temporary inward migration of workers who are non-Welsh speakers.

A Decommissioning Method Statement would therefore be conditioned as part of any approval. The statement would require a comprehensive consideration of the effects of decommissioning on the Welsh Language using the methodology that has been included in the SPG Sustaining and Creating Notable and Sustainable Communities.

### **Landscape:**

Chapter 8 of the ES comprises a detailed Landscape Visual Impact Assessment (LVIA) carried out by Chartered Landscape Architects from Pegasus Group. The LVIA is accompanied by visualisations which will assist with the assessment.

Trysclwyn Wind Farm, is already an established component of the current landscape and acts as a visual baseline, having been operational for over 24 years. The life extension will not increase the height of any of the structures or introduce any additional new elements into the landscape.

The impact upon the landscape was assessed as part of the original appeal decision. The Inspector concluded .... in general I consider that in terms of aspect none of the nearest houses to the site would unduly be dominated by the presence of the proposed Wind Turbines due to the distances involved, the lie of the land and intervening features. With all the above points in mind I consider that, in respect of visual and landscape impact, the proposed windfarm would be an acceptable form of development on the appeal site and that any harm to this area of countryside and to the visual amenities of the locality would not be significant and, in any event, is outweighed by the advantages of developing this course of renewable energy.

Notwithstanding the appeal decision, as part of the scoping opinion the Local Authority requested that the assessment of the effect of the proposed extension on landscape and views has been carried out against a 'future baseline' scenario as though the Tryslwyn wind turbines had already been removed from the site and were being added back into it for a further 10 years. The study area is set at 10 km radius which was also agreed as part of the scoping opinion. However, the assessment has focused on a 5 km radius from where significant effects are most likely to occur.

The assessment considered the effects of the proposed extension on landscape character, on views from eleven representative viewpoints which was agreed as part of the scoping opinion. The assessment also considers the additional temporary effects associated with the eventual decommissioning of the proposed extension. Finally, the LVIA assess the potential cumulative effect of the development in combination with other developments in the surrounding areas. All effects reported in the LVIA are considered to be long term and temporary.

The proposal does not proposed any additional mitigation over and above that incorporated into the design of the existing layout.

### **Local Landscapes Effects:**

It is considered there would be no new effects on landscape features (trees, hedges, topographical features) from the proposal. The assessment therefore focuses on landscape character effects.

The study area includes 4 Landscape Character Areas (LCAs). The site is located in the eastern edge of LCA 8, Dulas Bay Hinterland which extends inland from Dulas bay and includes the AONB to the west of the A5025 and Mynydd Bodafon. Several landforms such as Mynydd Bodafon are within the LCA or at its edge, and have been included as viewpoints in the visual assessment.

As identified in the Landscape Sensitivity and Capacity Assessment (LSCA), sensitivity to this form of development (wind energy) decreases to the east of the LCA, with increased sensitive to the west which includes areas within the Area of Outstanding Natural Beauty (AONB).

While the topography of the LCA and natural screening means that theoretical visibility is reduced on site, and influence decreases to the east of the A5025, the proposal would remain the dominant windfarm within the LCA and locally significant within the west of the LCA. Other windfarms would continue to exert an influence on the LCA and some of the expansive views; but do reduce the local magnitude of change.

Effects on LCA 7 Mynydd Parys are considered significant within the ES and considered further below in relation to the SLA. The windfarm affects views of the SLA from the south-east and is considered in the viewpoint assessment. The turbines are located in the agricultural landscape below Mynydd Parys but interrupt views of the slopes, the historic working and the bright colours that made the SLA landscape distinctive.

Effects on the remaining LCAs within the study area, namely LCA 5: North west Anglesey and LCA 6, Amlwch and Environs are not considered significant.

It is considered that effects on landscape character during commission would not be significant. Positive effects would result following the restoration of grassland where decommissioning requires above ground infrastructure to be removed. As the site is progressively decommissioned, the baseline situation would be restored and signification effects on character types removed.

The site is wholly within LANDMAP Visual and Sensory Aspect Area: Drumlins with windfarms (YNSMNV010) with the drumlin landscape subdivided in LANDMAP into aspect areas of drumlins and drumlins with windfarms, where the windfarm component defines the aspect area. As noted in the LCA description Wind turbines form very intrusive elements, lowering integrity and raising character. LANDMAP aspect areas are reviewed for change in characteristics and qualities. It is therefore

likely that should the site be decommissioned in 2022, LANDMAP aspect areas would change in the future to reflect changes.

### **Designated landscapes Effects:**

#### **Anglesey AONB:**

The LVIA includes a brief assessment of effects on the AONB commensurate with the Council's and NRW's comments on the scoping opinion. There are inland views of the site looking inland from the AONB in the vicinity of the A5025 to the east at Dulas marginally outside the 2km area where significant effects on character are identified. These are brief views and would not affect AONB special qualities such as Peace and Tranquillity or Expansive Views. Elevated and expansive views are available from several viewpoints within the LVIA which would not have a significant effect on AONB special qualities.

#### **Mynydd Parys Special Landscape Area (SLA)**

The windfarm was allowed in a 1993 appeal, before the 1996 Ynys Môn local plan which defined all the island outside of the AONB as a Special Landscape Area (SLA). SLAs were reviewed again in 2012.

The SLA description notes the encroachment of wind turbines on the SLA and the pressure for wind energy development which threatens the setting of the historic landscape. The windfarm are as noted in the viewpoint assessment, significant in the view from Mynydd Parys. Views inland include other man-made features such as the Pylon network and agricultural buildings. The SLA quality of expansive views is linked primarily to the coast and AONB where it joins with the AONB boundary.

VP3 is from a Viewpoint on the AONB boundary where turbines interrupt views of the SLA slopes affecting the prominence of the historic built features and the SLA quality of it as a distinct/remote feature with a general absence of modern development. VP7 is used to assess views on the settlement and footpath but also illustrates a similar effect on views of Mynydd Parys but reduced in effect due to distance and the presence of the Pylon network.

#### **Historic Landscape:**

The designation is focused around the copper mines, its industrial workings and relationship with Amlwch and Amlwch Port. No effects of concern are noted by other consultees advising on the historic or cultural landscapes.

#### **Visual effects:**

The ES addendum has included an assessment on residential visual amenity (RVAA). The RVAA considered the potential visual effect of the proposed extension experienced by residents of the nearest properties located within the 400 meter trigger distances as outlined within policy AND 1 of the JLDP. The RVAA identifies if any of these residents would experience a significant effect on any view from their property during the operational period of the proposed extension, and specifically details which views would be affected. The RVAA solely considered the visual component of residential amenity and the impact upon living conditions of nearby residents.

An assessment of the impact from the proposed development upon residential visual amenity has been undertaken by Pehasus Group under the overarching guidelines for LVIA. The assessments acknowledge that different receptor groups have varying degrees of sensitivity to change in the view. It is acknowledged that residents are generally considered to be more sensitive to changes in view from certain rooms within the dwellings and areas of their curtilages. Although not the sole factor, the magnitude of visual change on residential properties is likely to be greater with closer proximity to the turbines.

It is considered that the occupiers of most dwellings experiences the wider landscape in passing on a regular basis. Residents of certain properties considered within the RVAA would most likely to have views of the proposed extension on a regular basis as they leave and approach their properties through the wider landscape. The impacts on views from the dwellings itself and its curtilage, as these impacts are likely to have the greatest influence on living conditions.

In relation to residential visual amenity, decisions by Planning Inspectors have often indicated that a common threshold criterion applied from residential amenity is where the change in the view would affect the fundamental living condition. Various terms are used to describe this threshold e.g 'overbearing', 'overwhelming' 'overpowering' or 'oppressive'.

Of the five properties within the 400m trigger distance and shown in, two were abandoned (one since the times of the 1993 appeal) with a further property unoccupied at present. Only two dwellinghouses were occupied with only Taldrwst Bach not an involved property. Effects on all three are significant from the property, curtilage and access. In relation to Taldrwst Bach, effects are greatest on the access but the combination of distance and turbine height leads to a conclusion that it is not overbearing. The other properties are a closer distance, with some degree of screening and effects not considered to be overbearing.

Since the original appeal decision, no new dwellings (except a replacement dwelling) have been approved within the vicinity. It is considered that no significant change has occurred since that time and therefore the proposal would not have an overwhelming or overpowering impact at any property such that its use was restricted or their general enjoyment impinged upon to such an extent as to make them unbearable.

The assessment also acknowledges that the effects on the settlement and properties to the east of the B5111 in Rhosybol as significant. Views from this area are represented by a viewpoint with LVIA which shows the southern group made up of four turbines. Views from the north of the settlement and the scattered properties to the east and west of the A5025 include the group of 10 turbines to the north of the windfarm. On the more elevated approach to Mynydd Parys, effects would likely be significant. In the original appeal the Inspector considered the effect on the outlook from these properties and the wider view. The current assessment does not include these properties; however, they fall within a section of the B511 where effects to highway users are predicted as significant.

Penygraigwen is located at approximately 1km from the site and is locally elevated. A viewpoint is taken from a PRow in this area at a distance where effects are regarded as being significant. Similar effects could be expected to residential receptors.

Significant effects were also predicted on footpaths up to 1.6km to the north as represented by viewpoints and 1.4km to the south.

Significant effects were identified on the B5111 for a section of the route, estimated here to be approximately to be 2kms in length. Minor roads are not considered within the assessment due the number within the study area. Where views exist within a 1.5km radius these are likely to be of short duration and sequential to vehicular traffic, and significant at this range.

No significant effects were identified as a result of de-commissioning. Effects at decommissioning would be the same as with the current consent unless the level of (e.g. removal of below ground or access roads) is required or the duration of decommissioning changed substantially.

### **Cumulative landscape effects:**

Four cumulative wireframe visualisations have been carried out from several viewpoints. Since the original consent the Llyn Alaw and Ysgelloog turbines have been constructed. Rhys y Groes and Wylfa should have been part of the original baseline with consent since for repowering at Rhyd y Groes (illustrated in the visualisations). Other unimplemented consents considered are the Rhyd y Groes solar farm. Two Developments of National Significance, Alaw Mon Solar Farm and, Môn Solar Farm are not part of the assessment. The proposed Awel y Môr offshore windfarm (Gwynt y Môr extension) falls

outside the study area. Effects from Wylfa are now restricted to decommissioning, which extends well beyond the life extension proposed. Wylfa Newydd is no longer relevant.

The projects extend over a number of LCAs and the main cumulative issue identified where additional windfarms / turbines could merge and views available in multiple directions. The assessment addresses the combined effects of the application with Llyn Alaw, Rhyd y groes and Ysgelloog. It is agreed that while each has locally significant landscape character effects, each is separated such that there are no additional in-combination significant effects.

Energy infrastructure is assessed as one element of landscape character but not a defining element of the landscape. This application, which if consented would be decommissioned following 10 years, would not tip the balance in terms of energy infrastructure becoming a defining element. However, successive life extensions and new projects have capacity to bring about landscape change, such that it becomes a distinct element of landscape character and relevant to National Policy considerations.

### **Cumulative Visual Effects:**

It is agreed that no significant in-combination or sequential cumulative visual effects, i.e., the significant effects to receptors predicted earlier would not be affected by other reasonably foreseeable projects or consents agreed to be part of the assessment. Effects (not significant) would be related to the repowering or other potential life extensions, which are closely related to the cumulative and progressive effects on landscape character change.

### **Assessment of effects in relation to landscape and visual impact policies:**

Several aspects of the proposal is contrary to specific policies within the JLDP.

Notably, the 2012 SLA review noted harm to the SLA from Wind Energy and a threat to the Historic Landscape and scenic quality (both SLA qualities). An extension of time would in effect continue this harm and would not conserve or enhance its setting as required in policies PS 7 and ADN1. In addition, significant harm has been identified to the amenity of residential receptors which is also a requirement under these policies.

The proposal identifies significant adverse effects on landscape character within a 2km radius of the site and the appearance of the area (visual effects) within a similar but smaller area which is considered contrary to policy PCYFF 3 of the JLDP.

The proposal would have a significant adverse effect on particular SLA qualities related to views from part of the site which is contrary to policies PS 19 and AMG2 of the JLDP. The site is designated for a number of characteristics and qualities with views being one.

However, cumulative effects are not assessed as significant and conform with the requirements of ADN1. In addition, the proposal would not affect additional landscape features and no adverse effects are predicted through decommissioning.

### **Landscape Conclusion:**

The LVIA has identified significant adverse effects on landscape character within a 2 kilometre radius of the site and significant adverse visual effects on footpath, settlement and residential receptors within a range of 1.6 kilometres. Effects on the SLA are noted as significant affecting identified SLA qualities.

### **Ecology:**

Detailed information regarding ecology and ornithology has been included within Chapter 5 of the ES Addendum. The application site is not located within any ecological or ornithological designations.

Nevertheless, the impact of the development has been assessed by specialist officers within the Authority together with Natural Resources for Wales.

The site supports primarily agricultural habitat, with the majority of the habitat present being improved grassland used for stock grazing. There are also occasional blocks of woodland, scattered scrub and species. Although a wide range of habitats, mammals, amphibians, reptiles, invertebrates and birds are normally assessed when considering a development for new turbines, the life extension will result in no physical changes until the decommissioning stage. The only effects that the ongoing operation of the turbines will have on birds and bats were considered within the ES addendum.

Surveys were carried out at the site between July 2020 and March 2021. The surveys included the following:

- Bat roost assessment of trees within the site boundary
- Static bat surveys using full spectrum detectors placed in the vicinity of turbines, with four detectors recording between certain dates
- Weekly bat and bird carcass searches and associated searcher efficiency and carcass persistence trials
- Twice monthly winter bird counts
- Monthly carcass searches

The data has been analysed following the standard analysis techniques. The results suggest that the proposed life extension is assessed to not have any significant effects on either ecology or ornithology. Additional controls are being proposed to be put in place during operation and decommissioning through embedded mitigation, and the creation of a site specific decommissioning plan which will include methods to ensure habitats and species will be protected.

An Operational Monitoring Report for birds and bats has also been included with the application. This document has been assessed by NRW who have concluded that a condition should be imposed as part of any approved which would require annual monitoring of bats and bird species shall be undertaken for three consecutive years. This would enable the Authority to monitor the development in an effort to safeguard the nearby SSSI features and European Protected Species.

In line with the Environment Wales Act (2016) an Ecology Enhancement Action Plan has been submitted as part of the application to ensure that the development maintains and enhances biodiversity. These enhancement measures include the planting of native trees and hedging together with a period of monitoring and management.

### **Curtilage Heritage:**

Historical assets comprising of archaeological, built heritage and historic landscape sites, are an identifiable component of the historic environment. Designated historic assets consist of Schedule Monuments, Listed Buildings, Conservation Areas, World Heritage Sites and Protected Wrecks.

Chapter 7 of the ES addendum assesses the potential effect upon the significance of historic assets arising from the proposed life extension which was carried out by Heritage Consultants, Pegasus Group.

Due to the nature of development and the fact there would be no additional ground disturbance arising from the proposed extension, consultation of below ground archaeology was scoped out of the assessment. The scope and methodology of the assessment was agreed with the statutory consultees beforehand. A study area of 5 km was used to identify designated assets for the registered historic landscape sourced from CADW. A study of 1 km was used to identify undesignated assets sourced from Gwynedd Archaeological Trust (GAPS) Historic Environment Record. In addition, the Zone of Theoretical Visibility (ZTV) drawing produced for the LVIA chapter was used as a tool to establish potential visibility of the wind farm and to eliminate historic assets where possible.

The baseline search identified 13 scheduled monuments, one grade I Listed Building, 11 grade II\* Listed Buildings, 81 Grade II Listed Buildings, one registered landscape of outstanding historic value and two

conservations areas. Within the 1km search area for undesignated assets, 439 were identified. Once these ZTW was applied, the number of assets were reduced.

It was concluded that the majority of the identified assets had neutral residual effects whilst two had experienced a minor adverse residual effect. Two assets were assessed as potential experiencing Moderate Adverse effect, namely Scheduled monuments Pen-y-Fynwent Enclosure (AN124) and Pen-y-Fynwent Barrow (AN125).

Moderate effects can be considered significant or not significant, using professional judgement it is considered that the two assets both schedule monuments, would not experience unacceptably damaging effects upon their setting. The assets will experience a change within their surrounding including within elements of their setting which contribute to the significance, however for both assets, the ability to understand, experience and appreciate their significance will only experience minor levels of change. It is considered that this minor change is not anywhere near a level to cause unacceptable damaging effects. It was therefore considered that these moderate adverse effects are not deemed to be significant.

Cumulative effects were also considered within the Cultural Heritage Chapter of the ES addendum. Considerations for the potential additional cumulative effects arising the proposed extension in combination with other development schemes. The schemes which were included within the case line scenario included Rhyd-y-Groes Wind Farm Repowering, Wylfa Newydd Power Station and Llyn Alaw Wind Farm Life Extension. No significant cumulative effects were identified arising from the Trysglwyn Wind Farm in combination with any other development on any historic assets.

CADW, GAPS together with the Heritage Section of the Authority have all been consulted regarding the application.

GAPS and CADW have evaluated the impact of the proposal upon the nearby Ancient Schedule Monuments. GAPS have confirmed that the assessment contained within the ES addendum meets the relevant professional standards for such work and is in accordance with the agreed scope. GAPS are of the view that the assessment is thorough and well- reasoned and are in general agreement with its conclusions. CADW are have also concur with the ES addendum and have raised no objection to the application.

The specialist heritage advisor of the Authority has also assessed the application, and in particular its impact upon nearby Listed Buildings. Given the relatively large distances and landscape features between the heritage assets and the turbines, the proposal is likely to have a moderate impact on the settings of listed buildings but unlikely to have a significant impact.

It is acknowledged that there would be some effects upon the significance of historic assets rising form the proposed extension, However, in light of the fact that the effects are not considered to be significant, nor cause unacceptable damaging effects in EIA terms, it is considered that the identified impact on setting is not of sufficient magnitude to recommend refusal of the requested extension period. It is however considered that the fixed-term nature of the development remains an important mitigating factor.

#### **Amenity 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 subsection 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. Subsection ii and iii of Policy AND 1 also ensures that proposal will not result in significant harm to the safety or amenity of sensitive receptors and not result in significant harm to the residential visual amenities of nearby residents.

An assessment upon residential amenities of nearby properties were taken into account as part of the original consent. The Planning Inspectorate did not conclude that the proposed development would have a detrimental impact upon the amenity of neighbouring residential properties.

Nevertheless, Public Protection were consulted as part of the application and have assessed the impact of the development upon residential properties with respect to matters such as noise and shadow flicker effects.

Noise and the impact upon nearby residential properties was assessed as part of the appeal decision . The Inspector considered that planning conditions specifying that the level of noise emissions resulting from the combined effect for the wind turbines shall not exceed a specific level.

Noise was scoped out of the Environmental Statement addendum. Routine compliance monitoring has been ongoing approximately every 20 months since the development initially became operational. The compliance monitoring has consistently met the imbedded noise limits. No complaints has been received by the Local Authority during this time.

As this application is to extend the operational life of the wind farm for a further 10 years, the Public Protection have raise no objection to the application, however have confirmed that noise controlling conditions imposed as part of the original application are adequate and should be carried over to any new permission. These include conditions 18, 19, 20 and 21.

The Local Authority or developer has not received a complaint with respect to shadow flicker since the proposed development has been operational. There is no changes to the design of the turbines including the blades being proposed and no new dwellinghouses (except a replacement dwelling) have been erected or granted planning permission within the immediate vicinity since consent was granted in 1993.

It is therefore concluded there is no material change in the situation since the granting of the original permission. The proposal will not result in significant harm to the safety or amenity of sensitive receptors including effect from noise. Conditions will be attached to any permission in order to safeguard the amenity of local residents.

#### **Traffic and Transport:**

Since the wind farm is operation there will be no construction works or additional infrastructure required as part of the life extension.

The Local Highways Authority have assessed the application and raised no objection to the proposal. Details regarding the impact upon the highway network during the decommissioning stage will be conditioned.

#### **Socio Economic Benefits:**

The turbines have previously been erected and therefore there will be no construction phase. However, by extending the life of the development, there will be a continued operational and maintenance jobs and contracts that will continue to contribute to the local economy for the 10 year period. Rents will also be payable to landowners over the proposed extended period together with the requirement to pay business rates.

A community benefit fund was in place as part of the original application. The fund totalled over £8,000 per annum (£1,430 per MW index linked). As part of the current proposal the applicant seeks to increase the community energy fund to £3,000 over MW from when the current consent expires. The money is provided to Rhosybol Community Council who will then be responsible for administering the funds.

It is considered that by extending the operational life of the wind farm there will be increased continued local economic contribution for an additional 10 years.

**Other matters:**

Policy ADN1 request that the proposal will not result in unacceptable electromagnetic interference to communications installations, radar or air traffic control systems, emergency services communications or other telecommunication systems. As part of the consultation process, the MOD together with Arquvia Ltd have been notified of the application and have raised no objection.

The policy also states that turbines and associated infrastructure will, at the end of the operational life of the facility, be removed in accordance with a restoration and aftercare scheme submitted to and agreed by the Local Planning Authority.

The applicant has provided indicative measures regarding decommissioning as part of the submission. It is suggested that such a scheme would following the guidance for the restoration and decommissioning of wind farms together with a decommissioning plan drafted for agreement. The document will include measures to safeguard habitats and species and details of restoration measure to be implemented following the removal of wind farm infrastructure.

Any permission granted will include a condition requesting that a decommissioning and site restoration scheme is submitted no later than 12 months before the expiry date of the permission.

**Conclusion**

Although Policy ADN1 of the JLDP relates to on shore wind turbines, there is no specific policy which relates to life extensions. However, there is a strong presumption within the JLDP in favour of renewable energy. National policy also encourages life extensions of existing windfarms provided that the environmental and landscape impact are acceptable.

The ES addendum has provided valuable knowledge of the likely significant effects of the proposed life extension. It is concluded that the proposal would not pose a significant harm to local sensitive receptors such as curtilage heritage and biodiversity subject to adequately worded conditions. It is also concluded that the proposed development would not have a detrimental impact upon residential amenity.

Wind turbines, by their very nature and design can never be fully integrated into a rural landscape and will always serve as somewhat dramatic contrast to those natural elements that make the landscape. Although the life extension will not increase the height of any of the structures or introduce any additional new elements into the landscape, it is considered that the proposed development would have a significant adverse effect on landscape character.

However, it is important to acknowledge that Tryslwyn Wind Farm, is already an established component of the current landscape and acts as a visual baseline, having been operational for over 24 years.

The key consideration in the consent of this scheme can be distilled into a balancing exercise between the benefits of renewable energy generation and impact upon sensitive receptors including landscape effects that it would create.

On balance, it is considered that the benefit of renewable energy outweighs the impact upon the landscape. The proposed development will bring an improved socio economic element which will benefit the local community by providing renewable energy. Planning permission will be subject to adequately worded conditions to ensure that the turbine will be decommissioned to ensure satisfactory restoration of the land following the 10 year extension.

**Recommendation**

That the application is permitted subject to the following conditions:

**(01) The development hereby permitted shall be carried out in accordance with the following approved plans:**

**Planning Statement – May 2021**

**Environmental Statement Addendum: Volume 1 of 3 Written Statement and Appendixes – May 2021**

**Environmental Statement Addendum: Volume 2 of 3 Supporting Figures and Visualisations – May 2021**

**Environmental Statement Addendum: Volume 3 of 3 Non – Technical Summary – May 2021**

**Environmental Statement Addendum: Volume 1 Appendix**

**Ecological Enhancement Action Plan – 23/09/2021 - 1257494/D**

Reason: For the avoidance of doubt.

**(02) The turbines hereby permitted shall be of a 3 bladed, horizontal axis type with a solid tower of height to hub level of 25 meters and a rotor diameter not exceeding 37 meters.**

Reason: To define the scope of the permission.

**(03) The external finish of the towers of the turbines hereby permitted shall be unpainted grey galvanized steel, and the finish colour of the external non-metallic surfaces of the turbines shall be a shade of light grey. All external surfaces of the turbines shall be of a matt finish.**

Reason: To ensure satisfactory appearance of the turbines.

**(04) All of the blades of the turbines hereby permitted shall rotate in a clockwise direction.**

Reason: In the interest of the amenities of the locality.

**(05) All cabling on the site between the turbines and the substation shall be underground**

Reason: In the interest of the amenities of the locality.

**(06) If any wind turbine hereby permitted fails to produce electricity supplied to the local grid for a continuous period of 9 months then, unless otherwise agreed in writing by the Local Planning Authority, that turbine along with any ancillary equipment shall be dismantled down to ground level and removed from the site and land reinstated for agricultural use within 3 months of the implementation of the removal**

Reason: In the interest of the amenities of the locality

**(07) The permission hereby granted shall endure for a time period of 35 years from the date of first export, being 30/06/1996. The expiry is therefore 29/06/2031.**

Reason: For the avoidance of doubt

**(08) No less than 12 months before the expiry of this planning permission, a decommissioning and restoration plan shall be submitted and approved in writing by the Local Planning Authority. Such a scheme will include:**

- **Details of the method in which how turbines will be removed to ground level, together with the reinstatement of the land;**
- **Confirmation of the management and indicative timing of works**
- **The measures to be used during decommissioning to minimise environmental impacts of the works (considering both potential disturbance and pollution prevention measures).**
- **Details of restoration for the areas disturbed by decommissioning.**

- **Method statement of the effect of the decommission on the Welsh Language in accordance with the Supplementary Planning Guidance 'Creating Notable and Sustainable Communities'**
- **A traffic management plan to fully address highway issues for abnormal loads during the period of the decommissioning works; and**
- **Other works of restoration and aftercare, agreed between the Local Planning Authority and developer to be reasonable and necessary**

**The scheme shall be implemented as approved and be completed within 12 months from the expiry date of this permission or the date of last export, whichever comes first.**

Reason: In the interest of amenities of the locality and to define the permission having regard to the assessed impact of the development.

**(09) The level of noise emissions resulting from the combined effect of the wind turbines hereby approved as measured at any dwelling existing at the date of this permission, except the participating properties Trysglwyn Fawr and Taldrwst Mawr, shall not exceed 40 dB(A) LAeq (5 minutes) at an on-site measured wind speed of 5 metres per second at hub height**

Reason: To safeguard residential amenity

**(10) The level of noise emissions, referred to in condition 08, shall be measured in accordance with Institute of Acoustics - A Good Practice Guide to the Application of ETSU-R-97 for the Assessment and Rating of Wind Turbine Noise, May 2013 or thereafter any updated document.**

Reason: To safeguard residential amenity

**(11) If tonal noise from any of the turbines hereby permitted, when measured in accordance with condition 10 exceeds the threshold of audibility by more than 8 dB(A) then the level of permissible noise emission referred to in condition 08 shall be reduced by 5 dB(A)**

Reason: To safeguard residential amenity

**(12) The level of noise emitted by the combined effect of the turbines hereby permitted shall be demonstrated at the request of the local planning authority in accordance with condition 10.**

Reason: To safeguard residential amenity

**(13) Operational monitoring of bats and bird species shall be undertaken for three consecutive years (2020-2022) in line with the methods previously used in 2020. Annual monitoring reports shall be submitted to the Local Planning Authority for review. After three years, unless results dictate that a review is required prior to this period, the monitoring plan will be reviewed and if further mitigation is considered necessary this will be agreed in writing with the Local Planning Authority within 6 months from the date of the last monitoring plan. The mitigation measures shall thereafter be carried out in full within 9 months from the date of the last monitoring plan.**

Reason: To safeguard protected species

**(14) No later than 6 months from the date of this permission, threshold levels for the implementation of bat and bird mitigation shall be submitted in writing by the applicants and approved by the Local Planning Authority. Bird species to be considered are restricted to those listed in Annex 1 of the Birds Directive and/or identified as features of Llyn Alaw SSSI. Review of thresholds will be undertaken by the applicant, Local Planning Authority and Natural Resources for Wales following each monitoring report as required by Condition 13 and these thresholds may be amended if required by the Local Planning Authority.**

Reason: To safeguard protected species and designated SSSI

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/2021/298

Applicant: Head of Service - Housing

Description: Full application for change of use of Communal Lounge into residential ground floor flat together with alterations and installation of solar panels at

Site Address: St Seiriol's Communal Lounge, St Seiriols Close, Holyhead



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

The application is submitted by the Head of Service (Housing).

**Proposal and Site**

The application site is located within the development boundary of the Urban Service Centre of Holyhead.

The subject property is currently a communal room located on the St Seiriols Close estate which is a complex of Local Authority bungalows for the elderly.

## Key Issues

The key issue is whether the proposal complies with relevant local development plan policies.

## Policies

### Joint Local Development Plan

Strategic Policy PS 5: Sustainable Development  
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment  
Strategic Policy PS 1: Welsh Language and Culture  
Policy PCYFF 2: Development Criteria  
Policy PCYFF 3: Design and Place Shaping  
Policy PCYFF 1: Development Boundaries

Planning Policy Wales (Edition 11, February 2021)

Supplementary Planning Guidance – Local Market Housing (March 2019)

### Response to Consultation and Publicity

Consultee	Response
Cynghorydd Jeff M. Evans	No response
Cynghorydd Glyn Haynes	No response
Cynghorydd Robert Llewelyn Jones	Support
Cyngor Tref Caergybi / Holyhead Town Council	No Objection
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Observations
Priffyrdd a Trafnidiaeth / Highways and Transportation	No Objection
Dwr Cymru Welsh Water	No response

Neighbouring properties were notified by letter. The expiry date for receiving representations was the 15<sup>th</sup> December 2021. At the time of writing the report no letters were received.

### Relevant Planning History

None.

### Main Planning Considerations

The application is submitted by the Head of Service (Housing) for the change of use of the existing communal lounge into a 1 bedroom dwelling.

The application site is located within the development boundary of the urban service centre of Holyhead.

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

The application site is located within the development boundary and therefore accords with policy PCYFF1.

It is also considered to accord with the provisions of policy PCYFF 2 of the JLDP which relates to development criteria and it is not considered that the development will have unacceptable impacts upon the amenities of the area or existing local residences

Policy PCYFF 3 of the JLDP relates to Design and Place Shaping. The proposal involves primarily internal alterations to provide living accommodation with minor alterations to the exterior comprising alterations to the doors and windows.

The proposal is considered acceptable in design terms and therefore accords with the provisions of policy PCYFF 3.

Policy TAI 1 of the JLDP relates to Housing in urban service centres and supports proposals within the development boundary, based upon the indicative provision noted in the policy. The indicative supply level for Holyhead over the Plan period is 833 units (including a 10% 'slippage allowance', which means that the method of calculating the figure has taken into account potential unforeseen circumstances which could influence the provision of housing, e.g. land ownership matters, infrastructure restrictions, etc.) (430 on allocated sites and 403 on windfall sites). During the period of 2011 to 2021, a total of 381 units have been completed in Holyhead (130 on allocated sites and 251 on windfall sites). The windfall land bank, i.e. sites with existing planning consent, and likely to be developed at April 2021 stood at 95 units). The allocated sites landbank stood at 61. In April 2021, there were four sites allocated for housing in Holyhead without planning permission. Together, the JLDP estimates that 237 housing units can be provided on these sites. In light of this, there is capacity within the indicative supply for Holyhead for this development and therefore the proposal can be considered as Tai 1 compliant.

Given that the proposal would not exceed the indicative provision for Holyhead when considering the total number of units completed since the JLDP base date and the units in the landbank, a Welsh Language Statement would not be required in relation to the requirements of criterion 1b of Policy PS1 ('Welsh Language and Culture').

## **Conclusion**

The proposal is considered to be acceptable and it is not considered that the development gives rise to a significant detrimental impact upon the character and amenities of the designated area or 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 Planning Act 1990 (as amended).

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

- **Location Plan / 0008 S1 P02**
- **Proposed General Arrangement / 0008 S1 P02**
- 

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: PS 1, PS 5, PCYFF 1, PCYFF 2, PCYFF 3, TAI 1.

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/2021/299

Applicant: Head of Housing Services

Description: Full application for change of use from communal lounge to create a residential property together with associated works at

Site Address: Bryn Tirion, Beaumaris



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

The application is submitted by the Head of Service (Housing).

**Proposal and Site**

The application site is located within the development boundary of the Local Service Centre of Beaumaris.

The subject property is currently a communal room located on the Bryn Tirion Residential Estate.

## Key Issues

The key issue is whether the proposal complies with relevant local development plan policies.

## Policies

### Joint Local Development Plan

Strategic Policy PS 5: Sustainable Development  
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment  
Strategic Policy PS 1: Welsh Language and Culture  
Policy PCYFF 2: Development Criteria  
Policy PCYFF 3: Design and Place Shaping  
Policy PCYFF 1: Development Boundaries  
Policy TAI 5: Local Market Housing  
Policy AMG 1: Area of Outstanding Natural Beauty Management Plans

Planning Policy Wales (Edition 11, February 2021)

Supplementary Planning Guidance – Local Market Housing (March 2019)

### Response to Consultation and Publicity

Consultee	Response
Cynghorydd Gary Pritchard	No Response
Cynghorydd Carwyn Jones	No Response
Cynghorydd Alun Roberts	No Response
Cyngor Tref Biwmares / Beaumaris Town Council	No Response
Priffyrdd a Trafnidiaeth / Highways and Transportation	No Response
Ymgynghorydd Treftadaeth / Heritage Advisor	No Response
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Advice Given

Neighbouring properties were notified by letter. The expiry date for receiving representations was the 15th December 2021. At the time of writing the report two web comments were received. The concerns were - position of Solar PV panels, inaccurate plans, loss of communal washroom and removal of fire exit door and external stairway.

These comments were sent on to agent and amended plans were received maintaining the existing fire exit and accurate plans were received. Solar Panels to improve sustainability at the site.

### Relevant Planning History

12LPA1032/CC - Full application for the external refurbishment of the dwellings, creation of a new vehicular access together with the creation of a parking area within the site at - 1-17 Bryn Tirion, Beaumaris – Permitted 27/04/2017

12LPA1032A/CC/MIN - Minor amendments to scheme previously approved under planning permission 12LPA1032/CC so as to lower the parking spaces and decrease the tarmac area at - Bryn Tirion, Beaumaris – Permitted

### **Main Planning Considerations**

The application is submitted by the Head of Service (Housing) for the change of use of the existing communal lounge into a residential dwelling.

The application site is located within the development boundary of the local service centre of Beaumaris within a designated Area of Outstanding Natural Beauty.

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

The application site is located within the development boundary and therefore accords with policy PCYFF1.

It is also considered to accord with the provisions of policy PCYFF 2 of the JLDP which relates to development criteria and it is not considered that the development will have unacceptable impacts upon the amenities of the area or existing local residences.

Policy PCYFF 3 of the JLDP relates to Design and Place Shaping. The proposal involves primarily internal alterations to provide living accommodation with minor alterations to the exterior comprising alterations to the doors and windows.

The proposal is considered acceptable in design terms and therefore accords with the provisions of policy PCYFF 3.

The application site is located within a designated Area of Outstanding Natural Beauty and policy AMG1 requires 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.

It is not considered that the proposal would adversely affect Natural Beauty, AONB features or special qualities relevant to landscape and therefore accords with policy AMG 1.

Policy TAI 5 of the JLDP relates to Local Market Housing and supports proposals within the development boundary, based upon the indicative provision noted in the policy.

The indicative housing supply for Beaumaris for the Plan period (2011-26) is 96 units (which includes a 10% 'slippage allowance' i.e. the manner of calculating the figure has taken into account potential circumstances that could arise that were not foreseen and that could influence the provision of housing e.g. land ownership issues, infrastructure constraints etc.). The Plan notes that all these units will be provided on windfall sites. In the period 2011-21, a total of 11 units have been completed in Beaumaris. The windfall sites landbank that is likely to be developed during the Plan period i.e. sites with existing planning permission, in April 2021 was 44 units (which includes 35 units on housing allocation site T31 – Casita).

Based on this information, a proposal on this scale is acceptable when considering the current situation in terms of the indicative provision for Beaumaris.

Given that the proposal would not exceed the indicative provision for Beaumaris when considering the total number of units completed since the JLDP base date and the units in the landbank, a Welsh

Language Statement would not be required in relation to the requirements of criterion 1b of Policy PS1 ('Welsh Language and Culture').

In accordance with Policy TAI 5, any new housing unit in Beaumaris will have to be a local market unit and the occupants of the unit will have to conform to the definition noted in paragraph 6.4.30 of the JLDP. Alternatively the unit could be an affordable dwelling for local need (in the case of Beaumaris this affordable need is relates to Anglesey in its entirety).

Paragraph 4.13 of the Local Market Housing SPG specifies that those submitting the application do not have to be eligible to live in the property, however, it must be ensured that those living in the property are eligible to do so. Consequently, the application will be subject to appropriate conditions to ensure that those residing in the property are eligible to do so.

With regards to Beaumaris, 'local' is defined as at least one member of the household having a connection with the ward (statistical ward i.e. the electoral ward prior to 2013) where the settlement is located i.e. Beaumaris ward, or any ward directly adjoining it (Cwm Cadnant, Llangoed and Pentraeth). Appendix 1 of the Local Market Housing SPG shows a map noting the extent of the defined 'local' area for an application in Beaumaris.

Policy TAI 5 and the SPG defines what is meant by 'connection with the ward':

- An individual who currently lives within the relevant ward and who has lived there continuously for 5 years or longer;
- People who are not currently living in the relevant ward but who have a long and established connection with the local community, including having lived in the area for a period of 5 years or longer in the past;
- People who have an essential need to move to live close to relatives who are currently living in the relevant ward and who have lived there for at least the past 5 years or longer and who need support because of age or infirmity reasons;
- People who need support due to reasons relating to age or infirmity and who need to move to live near relatives who are currently living in the relevant ward and who have lived there for the past 5 years or longer.

Criterion 1 of policy TAI 5 requires that the size of the unit complies with the defined maximum for the particular type of unit proposed. This is in order to ensure that the policy meets its objectives. By controlling the maximum size of local market units, the value of these units will be more compatible with the policy's objective of maintaining sustainable communities.

The proposed unit is a 1 bedroom flat, which is not noted in the table in the Policy (Table 18 - para. 6.4.29) nor the SPG (Table 1 – Para. 4.22). The internal area of the proposed unit is approximately 53 metres squared. When comparing to the figures noted for the maximum size of single storey dwellings, it is believed that the internal area noted is acceptable in relation to ensuring compatibility with the policy objectives.

## **Conclusion**

The proposal is considered to be acceptable and it is not considered that the development gives rise to a significant detrimental impact upon the character and amenities of the designated area or 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 Planning Act 1990 (as amended).

**(02) The development shall not begin until a scheme for the provision of either a local market house or an affordable house for this development has been submitted to and approved in writing by the local planning authority. The local market house / affordable house shall be provided in accordance with the approved scheme and shall either meet the definition of a local market dwelling under policy TAI 5 of the Ynys Mon and Gwynedd Joint Local Development Plan or affordable housing in Policy TAI 15 of the Ynys Mon and Gwynedd Joint Local Development Plan and Technical Advice Note 2: Planning and Affordable Housing (June 2006) or any future guidance that replaces it.**

**The scheme shall include:**

- **the occupancy criteria to be used for determining the identity of occupiers of the local market / affordable unit and the means by which such occupancy criteria shall be enforced.**
- **the timing of the construction and subsequent occupation of the local market/affordable unit;**
- **The arrangements for ensuring that the unit remains within the occupation of qualifying individuals both in terms of first and subsequent occupiers.**
- **The arrangement in terms of the mechanism for marketing the local market/affordable unit.**
- **In terms of an affordable unit, the arrangements for the management of the unit and the arrangements for the transfer of the unit to an affordable housing provider (if no RSL involved)**

**Where applicable the information provided has to conform to the content of the Local Market Housing Supplementary Planning Guidance or the Affordable Housing Supplementary Planning Guidance.**

Reason: To ensure that the development provides either a local market or an affordable unit in accordance with development plan policy.

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

- **Location Plan: 021021 CCE ZZ ZZ 40:40:01 C 15 0006 S1 P01**
- **Proposed General Arrangement: 021021 CCE ZZ ZZ 40:40:01 C 20 0006 S1 P04**

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: PS 5, PS 19, PS 1, PCYFF 2, PCYFF 3, PCYFF 1, TAI 5, AMG 1

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: 12/01/2022

12.4

Application Reference: FPL/2021/285

Applicant: Head of Housing Services

Description: Full application for the change of use of the existing communal lounge into a residential unit at

Site Address: Gerddi Stanley, Beaumaris



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

The application is submitted by the Head of Service (Housing).

**Proposal and Site**

The application site is located within the development boundary of the Local Service Centre of Beaumaris.

The subject property is currently a communal room located on the Gerddi Stanley estate which is a complex of Local Authority bungalows for the elderly.

### Key Issues

The key issue is whether the proposal complies with relevant local development plan policies.

### Policies

#### Joint Local Development Plan

Strategic Policy PS 5: Sustainable Development  
 Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment  
 Strategic Policy PS 1: Welsh Language and Culture  
 Policy PCYFF 2: Development Criteria  
 Policy PCYFF 3: Design and Place Shaping  
 Policy PCYFF 1: Development Boundaries  
 Policy TAI 5: Local Market Housing  
 Policy AMG 1: Area of Outstanding Natural Beauty Management Plans

Planning Policy Wales (Edition 11, February 2021)

Supplementary Planning Guidance – Local Market Housing (March 2019)

#### Response to Consultation and Publicity

Consultee	Response
Cynghorydd Gary Pritchard	No response at the time of writing the report.
Cynghorydd Carwyn Jones	No response at the time of writing the report.
Cynghorydd Alun Roberts	No response at the time of writing the report.
Cyngor Tref Biwmares / Beaumaris Town Council	No response at the time of writing the report.
Priffyrdd a Trafnidiaeth / Highways and Transportation	No objection.
Ymgynghorydd Treftadaeth / Heritage Advisor	The proposed alterations are unlikely to harm the character and appearance of the CA or views into or out of the designated area.
Ymgynghoriadau Cynllunio YGC	No comments.
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Overview of relevant policies.
Iechyd yr Amgylchedd / Environmental Health	Comments in relation to general environmental and health and safety considerations.
Strategol Tai / Housing Strategy	No response at the time of writing the report.
Dwr Cymru Welsh Water	No objection.

Neighbouring properties were notified by letter. The expiry date for receiving representations was the 15<sup>th</sup> December 2021. At the time of writing the report no letters were received.

## **Relevant Planning History**

None.

## **Main Planning Considerations**

The application is submitted by the Head of Service (Housing) for the change of use of the existing communal lounge into a 1 bedroom dwelling.

The application site is located within the development boundary of the local service centre of Beaumaris within a designated Area of Outstanding Natural Beauty.

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

The application site is located within the development boundary and therefore accords with policy PCYFF1.

It is also considered to accord with the provisions of policy PCYFF 2 of the JLDP which relates to development criteria and it is not considered that the development will have unacceptable impacts upon the amenities of the area or existing local residences

Policy PCYFF 3 of the JLDP relates to Design and Place Shaping. The proposal involves primarily internal alterations to provide living accommodation with minor alterations to the exterior comprising alterations to the doors and windows.

The proposal is considered acceptable in design terms and therefore accords with the provisions of policy PCYFF 3.

The application site is located within a designated Area of Outstanding Natural Beauty and policy AMG1 requires 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.

It is not considered that the proposal would adversely affect Natural Beauty, AONB features or special qualities relevant to landscape and therefore accords with policy AMG 1.

Policy TAI 5 of the JLDP relates to Local Market Housing and supports proposals within the development boundary, based upon the indicative provision noted in the policy.

The indicative housing supply for Beaumaris for the Plan period (2011-26) is 96 units (which includes a 10% 'slippage allowance' i.e. the manner of calculating the figure has taken into account potential circumstances that could arise that were not foreseen and that could influence the provision of housing e.g. land ownership issues, infrastructure constraints etc.). The Plan notes that all these units will be provided on windfall sites. In the period 2011-21, a total of 11 units have been completed in Beaumaris. The windfall sites landbank that is likely to be developed during the Plan period i.e. sites with existing planning permission, in April 2021 was 44 units (which includes 35 units on housing allocation site T31 – Casita).

Based on this information, a proposal on this scale is acceptable when considering the current situation in terms of the indicative provision for Beaumaris.

Given that the proposal would not exceed the indicative provision for Beaumaris when considering the total number of units completed since the JLDP base date and the units in the landbank, a Welsh

Language Statement would not be required in relation to the requirements of criterion 1b of Policy PS1 ('Welsh Language and Culture').

In accordance with Policy TAI 5, any new housing unit in Beaumaris will have to be a local market unit and the occupants of the unit will have to conform to the definition noted in paragraph 6.4.30 of the JLDP. Alternatively the unit could be an affordable dwelling for local need (in the case of Beaumaris this affordable need is relates to Anglesey in its entirety).

Paragraph 4.13 of the Local Market Housing SPG specifies that those submitting the application do not have to be eligible to live in the property, however, it must be ensured that those living in the property are eligible to do so. Consequently, the application will be subject to appropriate conditions to ensure that those residing in the property are eligible to do so.

With regards to Beaumaris, 'local' is defined as at least one member of the household having a connection with the ward (statistical ward i.e. the electoral ward prior to 2013) where the settlement is located i.e. Beaumaris ward, or any ward directly adjoining it (Cwm Cadnant, Llangoed and Pentraeth). Appendix 1 of the Local Market Housing SPG shows a map noting the extent of the defined 'local' area for an application in Beaumaris.

Policy TAI 5 and the SPG defines what is meant by 'connection with the ward':

- *An individual who currently lives within the relevant ward and who has lived there continuously for 5 years or longer;*
- *People who are not currently living in the relevant ward but who have a long and established connection with the local community, including having lived in the area for a period of 5 years or longer in the past;*
- *People who have an essential need to move to live close to relatives who are currently living in the relevant ward and who have lived there for at least the past 5 years or longer and who need support because of age or infirmity reasons;*
- *People who need support due to reasons relating to age or infirmity and who need to move to live near relatives who are currently living in the relevant ward and who have lived there for the past 5 years or longer.*

Criterion 1 of policy TAI 5 requires that the size of the unit complies with the defined maximum for the particular type of unit proposed. This is in order to ensure that the policy meets its objectives. By controlling the maximum size of local market units, the value of these units will be more compatible with the policy's objective of maintaining sustainable communities.

The proposed unit is a 1 bedroom flat, which is not noted in the table in the Policy (Table 18 - para. 6.4.29) nor the SPG (Table 1 – Para. 4.22). The internal area of the proposed unit is approximately 53 metres squared. When comparing to the figures noted for the maximum size of single storey dwellings, it is believed that the internal area noted is acceptable in relation to ensuring compatibility with the policy objectives.

## **Conclusion**

The proposal is considered to be acceptable and it is not considered that the development gives rise to a significant detrimental impact upon the character and amenities of the designated area or 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 Planning Act 1990 (as amended).

**(02) The development shall not begin until a scheme for the provision of either a local market house or an affordable house for this development has been submitted to and approved in writing by the local planning authority. The local market house / affordable house shall be provided in accordance with the approved scheme and shall either meet the definition of a local market dwelling under policy TAI 5 of the Ynys Mon and Gwynedd Joint Local Development Plan or affordable housing in Policy TAI 15 of the Ynys Mon and Gwynedd Joint Local Development Plan and Technical Advice Note 2: Planning and Affordable Housing (June 2006) or any future guidance that replaces it.**

The scheme shall include:

- the occupancy criteria to be used for determining the identity of occupiers of the local market / affordable unit and the means by which such occupancy criteria shall be enforced.
- the timing of the construction and subsequent occupation of the local market/affordable unit;
- The arrangements for ensuring that the unit remains within the occupation of qualifying individuals both in terms of first and subsequent occupiers.
- The arrangement in terms of the mechanism for marketing the local market/affordable unit.
- In terms of an affordable unit, the arrangements for the management of the unit and the arrangements for the transfer of the unit to an affordable housing provider (if no RSL involved)

Where applicable the information provided has to conform to the content of the Local Market Housing Supplementary Planning Guidance or the Affordable Housing Supplementary Planning Guidance.

Reason: To ensure that the development provides either a local market or an affordable unit in accordance with development plan policy.

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

- **Location Plan: 021021 CCE ZZ ZZ 40:40:01 C 15 0001 S1 P01**
- **Proposed General Arrangement: 021021 CCE ZZ ZZ 40:40:01 C 20 0005 S1 P02**

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

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PS1, PS5, PCYFF1, PCYFF2, PCYFF3, TAI5, AMG1.

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/2021/297

Applicant: Head of Housing Services

Description: Full application for the change of use of the existing communal lounge into a new residential unit at

Site Address: Tre Rhosyr Communal Lounge, Newborough



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

The application is submitted by the Head of Service (Housing).

**Proposal and Site**

The application site is located within the development boundary of the Service Village of Newborough.

The subject property is currently a communal room located on the Tre Rhosyr estate which is a complex of Local Authority bungalows for the elderly.

## Key Issues

The key issue is whether the proposal complies with relevant local development plan policies.

## Policies

### Joint Local Development Plan

Strategic Policy PS 5: Sustainable Development  
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment  
Strategic Policy PS 1: Welsh Language and Culture  
Policy PCYFF 2: Development Criteria  
Policy PCYFF 3: Design and Place Shaping  
Policy PCYFF 1: Development Boundaries  
Policy TAI 3: Housing in Service Villages

Planning Policy Wales (Edition 11, February 2021)

### Response to Consultation and Publicity

Consultee	Response
Iechyd yr Amgylchedd / Environmental Health	Dim ymateb
Cynghorydd Peter Rogers	No response
Cynghorydd Bryan Owen	No response
Cyngor Cymuned Rhosyr Community Council	No response
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Confirmed TAI 3 is relevant and no Welsh Language Statement required.
Priffyrdd a Trafnidiaeth / Highways and Transportation	No response
Ymgynghorydd Treftadaeth / Heritage Advisor	No impact on Listed Building
Dwr Cymru/Welsh Water	Construction advisory
Housing Development Manager	No response

Neighbouring properties were notified by letter. The expiry date for receiving representations was the 15<sup>th</sup> December 2021. At the time of writing the report no letters were received.

### Relevant Planning History

None.

### Main Planning Considerations

The application is submitted by the Head of Service (Housing) for the change of use of the existing communal lounge into a 1 bedroom dwelling.

The application site is located within the development boundary of the service village of Newborough.

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

The application site is located within the development boundary and therefore accords with policy PCYFF1.

It is also considered to accord with the provisions of policy PCYFF 2 of the JLDP which relates to development criteria and it is not considered that the development will have unacceptable impacts upon the amenities of the area or existing local residences

Policy PCYFF 3 of the JLDP relates to Design and Place Shaping. The proposal involves primarily internal alterations to provide living accommodation with minor alterations to the exterior comprising alterations to the doors and windows.

The proposal is considered acceptable in design terms and therefore accords with the provisions of policy PCYFF 3.

Policy TAI 3 of the JLDP relates to Housing in Service Villages and supports proposals within the development boundary, based upon the indicative provision noted in the policy. The indicative supply level for Newborough over the Plan period is 40 units (including a 10% 'slippage allowance', which means that the method of calculating the figure has taken into account potential unforeseen circumstances which could influence the provision of housing, e.g. land ownership matters, infrastructure restrictions, etc. During the period of 2011 to 2021, a total of 17 (4 on allocated sites and 13 on windfall sites) units have been completed in Newborough. The windfall land bank, i.e. sites with existing planning consent, and likely to be developed at April 2021 stood at 4 units). This means that at present there is capacity within the indicative supply for the settlement of Newborough and the proposal is TAI 3 compliant.

Given that the proposal would not exceed the indicative provision for Newborough when considering the total number of units completed since the JLDP base date and the units in the landbank, a Welsh Language Statement would not be required in relation to the requirements of criterion 1b of Policy PS1 ('Welsh Language and Culture').

## **Conclusion**

The proposal is considered to be acceptable and it is not considered that the development gives rise to a significant detrimental impact upon the character and amenities of the designated area or 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 Planning Act 1990 (as amended).

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

- **Location Plan & Block Plan / 0008 S1 P02**
- **Proposed General Arrangement / 0007 S1 P02**

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: PS 1, PS 5, PCYFF 1, PCYFF 2, PCYFF 3, TAI 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: MAO/2021/32

Applicant: Mr Mike Banks

Description: Minor amendments to scheme previously approved under planning permission FPL/2019/258 so as to amend external render finish from rough to smooth at

Site Address: Beaumaris Social Club, Steeple Lane, Beaumaris



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

The planning application has been made by the Isle of Anglesey County Council and therefore reported to the Planning and Orders Committee for consideration.

**Proposal and Site**

Planning Permission was granted under planning application FPL/2019/258 on the 08/01/2020 for the demolition of the existing building together with the erection of 6no one bedroom flats at Beaumaris Social Club, Steeple Lane, Beaumaris.

This is an application for a non-material amendment to amend the external finish of the building from rough cast render to smooth render at Beaumaris Social Club, Steeple Lane, Beaumaris.

## Key Issues

The key issue is whether the change from rough cast render to smooth render is acceptable and in keeping with the area.

## Policies

### Joint Local Development Plan

Policy PCYFF 2: Development Criteria

Policy PCYFF 3: Design and Place Shaping

Policy AMG 1: Area of Outstanding Natural Beauty Management Plans

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

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

### Response to Consultation and Publicity

Consultee	Response
Ymgynghorydd Treftadaeth / Heritage Advisor	Satisfied with the amendments to the external render of the building.

There was no requirement to notify neighbours as part of this planning application.

### Relevant Planning History

CAC/2019/3 - Conservation Area consent for the demolition of the existing building together with the erection of six one bedroom flats in lieu at - Beaumaris Social Club, Steeple Lane, Beaumaris – Permitted 18/11/2019

FPL/2019/258 - Full application for the demolition of the existing building together with the erection of six one bedroom flats in lieu at - Beaumaris Social Club, Steeple Lane, Beaumaris - Permit 08/01/2020

SCR/2019/55 - Screening opinion for the demolition of the existing building together with the erection of six flats (one bedroom) in lieu at - Beaumaris Social Club, Steeple Lane, Beaumaris - EIA Not Required 15/10/2019

### Main Planning Considerations

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

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

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

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

The amendment is to change the external render from rough cast to smooth render.

The amendments are considered to be non-material amendments.

Having considered the above and all other material considerations. The application is deemed to be non-material and therefore approved under Section 96A of the Town and Country Planning Act 1990.

### **Conclusion**

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

### **Recommendation**

That the application is permitted

### **Informative**

This decision should be read in conjunction with the remaining conditions imposed on planning permission FPL/2019/258.

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: DIS/2021/101

Applicant: Mr Mike Banks

Description: Application to discharge condition (04) (Specification for a staged programme of archaeological work) of planning permission CAC/2019/3: Conservation Area consent for the demolition of the existing building together with the erection of six one bedroom flats in lieu at

Site Address: Beaumaris Social Club, Steeple Lane, Beaumaris



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

**Recommendation:** Condition Partially Discharged

**Reason for Reporting to Committee**

The planning application has been made by the Isle of Anglesey County Council and therefore reported to the Planning and Orders Committee for consideration.

**Proposal and Site**

The proposal is to discharge condition (04) (Specification for a staged programme of archaeological work) of planning permission CAC/2019/3: Conservation Area Consent for the demolition of the existing building together with the erection of six one bedroom flats.

## Key Issues

The application's key issue is whether the information submitted is satisfactory and whether the condition can be discharged.

## Policies

### Joint Local Development Plan

Policy PCYFF 2: Development Criteria

Policy PCYFF 3: Design and Place Shaping

Policy AMG 1: Area of Outstanding Natural Beauty Management Plans

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

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

### Response to Consultation and Publicity

Consultee	Response
Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service	No objection

Representation Expiry Date: 13/12/2021.

Representations: Gwynedd Archaeological Planning Service recommend discharge of condition (04) which relates to Specification for a staged programme of archaeological work.

There was no requirement to notify neighbours as part of this planning application.

### Relevant Planning History

CAC/2019/3 - Conservation Area consent for the demolition of the existing building together with the erection of six one bedroom flats in lieu at - Beaumaris Social Club, Steeple Lane, Beaumaris - Permitted 18/11/2019

FPL/2019/258 - Full application for the demolition of the existing building together with the erection of six one bedroom flats in lieu at - Beaumaris Social Club, Steeple Lane, Beaumaris Permitted 08/01/2020

SCR/2019/55 - Screening opinion for the demolition of the existing building together with the erection of six flats (one bedroom) in lieu at - Beaumaris Social Club, Steeple Lane, Beaumaris - EIA Not Required 15/10/2019

### Main Planning Considerations

Planning permission was granted under planning application CAC/2019/3 for the demolition of existing building and erection of six one bedroom flats at Beaumaris Social Club, Beaumaris.

Condition (04) No development (including demolition, site clearance, trial pitting, topsoil strip or other groundwork) shall take place until a specification for a staged programme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and all archaeological work completed in strict accordance with the approved details.

**Conclusion**

The submitted programme of archaeological works and Watching Brief has been prepared by experienced and competent specialist service providers.

Gwynedd Archaeological Planning Service recommend that condition (04), which relates to Specification for a staged programme of archaeological work, be discharged.

It is considered that the information provided for condition (04) is acceptable and the condition can be discharged.

**Recommendation**

That the condition is partially discharged

**Application Reference: DIS/2021/102**

**Applicant: Mr Mike Banks**

**Description:** Application to discharge conditions (03) (foul drainage), (05) (Construction Traffic Management Plan), (07) (method of demolition), (08) (window details) and (11) (affordable housing scheme) of planning permission FPL/2019/258 (demolition of existing building and erection of six one bedroom flats) at

**Site Address:** Beaumaris Social Club, Steeple Lane, Beaumaris



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

**Recommendation:** Condition Partially Discharged

**Reason for Reporting to Committee**

The planning application has been made by the Isle of Anglesey County Council and therefore reported to the Planning and Orders Committee for consideration.

**Proposal and Site**

This is an application to discharge 03) (foul drainage), (05) (Construction Traffic Management Plan), (07) (method of demolition), (08) (window details) and (11) (affordable housing scheme) of planning permission FPL/2019/258 (demolition of existing building and erection of six one bedroom flats) at Beaumaris Social Club, Steeple Lane, Beaumaris.

## Key Issues

The Key issue is whether the information submitted is satisfactory and whether the conditions can be discharged.

## Policies

### Joint Local Development Plan

Policy PCYFF 2: Development Criteria

Policy PCYFF 3: Design and Place Shaping

Policy AMG 1: Area of Outstanding Natural Beauty Management Plans

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

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

Supplementary Planning Guidance Local Market Housing

### Response to Consultation and Publicity

Consultee	Response
Strategol Tai / Housing Strategy	No response
Priffyrdd a Trafnidiaeth / Highways and Transportation	Happy for condition to be discharged.
Ymgynghorydd Treftadaeth / Heritage Advisor	Comments
Iechyd yr Amgylchedd / Environmental Health	No observations.
Ymgynghoriadau Cynllunio YGC	No comments
Dwr Cymru Welsh Water	Further information required on the existing drain.

There was no requirement to notify neighbours as part of this planning application.

### Relevant Planning History

CAC/2019/3 - Conservation Area consent for the demolition of the existing building together with the erection of six one bedroom flats in lieu at - Beaumaris Social Club, Steeple Lane, Beaumaris - Permitted

FPL/2019/258 - Full application for the demolition of the existing building together with the erection of six one bedroom flats in lieu at - Beaumaris Social Club, Steeple Lane, Beaumaris - Permit 8/1/20

SCR/2019/55 - Screening opinion for the demolition of the existing building together with the erection of six flats (one bedroom) in lieu at - Beaumaris Social Club, Steeple Lane, Beaumaris - EIA Not Required 15/10/19

### Main Planning Considerations

Planning permission was granted under planning application FPL/2019/258 for the demolition of existing building and erection of six one bedroom flats at Beaumaris Social Club, Beaumaris.

As part of the original consent and prior to commencement of work on site, further details were required to be submitted as part of conditions (03), (05), (07), (08) and (11).

### **Condition (03) (foul drainage)**

Condition (03) required the applicant to provide details of the foul drainage scheme for the development to ensure that the public sewerage system would not be overloaded. Welsh Water have requested further information. It is requested that members agree to allow officers to continue to have delegated powers to await further information from the agent and determine once Welsh Water is satisfied with the drainage information.

### **Condition (05) (Construction Traffic Management Plan)**

A Construction Traffic Management Plan has been provided with the planning application and the Highways Authority has confirmed that they are satisfied with the information and that the condition can be discharged.

### **Condition (07) (Method of Demolition)**

This condition required the applicant to provide details of the method of demolition. The method of demolition has now been submitted and is considered acceptable.

### **Condition (08) (Window Details)**

Condition (08) required the applicant to provide large scale drawings illustrating details of all proposed windows. The Heritage Officer has requested further details of the windows. It is requested that members agree to allow officers to continue to have discussions on the windows with the applicant and delegate the powers to discharge the condition once the Heritage Officer is satisfied with the level of information provided.

### **Condition (11) (Affordable Housing Scheme)**

Condition (11) of the original approval requested further details for the provision of local market housing and affordable housing as part of the development. The applicant has confirmed that all six flats will be 100% affordable and will be let at intermediate rent levels. The affordable units will be let to first tenants and all future tenants from the Tai Teg Register. Upon completion of the six flats the units will be transferred to Isle of Anglesey County Council's Housing Services for management and added to the Council's general housing stock. The Council will also ensure that the occupiers of the flats will meet the definition of being local to the ward as outlined in the Supplementary Planning Guidance on Local Market Housing.

### **Conclusion**

It is considered that the information provided for condition (05), (07) and (11) is acceptable and the conditions can be partially discharged.

Discussions are continuing between the agent and the Heritage Officer with regards to condition (08) and it is recommended that the Committee Members agree to give delegated powers for officers to continue discussions to ensure the window details are acceptable prior to issuing the permission. A response is also awaited from Welsh Water with regards to condition (03) and it is recommended that Committee Members agree to give delegated powers for officers to await further drainage information from the agent to satisfy Welsh Water requirements and determine once confirmation has been received from Welsh Water that they are satisfied with the information submitted.

### **Recommendation**

That the conditions are partially discharged.

Application Reference: TPO/2021/31

Applicant: Head of Service Regulation and Economic Development

Description: Application for works to trees protected by a Tree Preservation Order at

Site Address: Dingle, Llangefni



**Report of Head of Regulation and Economic Development Service (Edward Henderson)**

**Recommendation:** Permit

**Reason for Reporting to Committee**

The planning application has been made by the Isle of Anglesey County Council and therefore reported to the Planning and Orders Committee for consideration.

**Proposal and Site**

The Dingle/Nant y Pandy woodland occupies 10 hectares of the sloped valley surrounding the Afon Cefni and is owned by the County Council. The woodland is a local nature reserve, important to local wildlife such as the red squirrel and included in NRW’s inventory of Ancient Woodland sites. It contains a mix of planted and natural woodland and comprised of sessile oak, ash, wild cherry, sycamore, ash, sweet chestnut, beech and Scots pine. It is also a valuable local amenity and important for local recreation providing a pedestrian and cycle route between the Cefni reservoir and Llangefni.

The Brig y Nant estate is on the southwest boundary of the woodland with the back gardens of a number of properties bordering the Dingle. No.16 Brig y Nant has a long boundary with the Dingle woodland and the trees subject to the application are a mature ash and younger sycamore bordering and overhanging the rear yard and side garden. From the boundary the woodland slopes down to the Cefni screening views into and out of the Dingle.

Seen from within the Brig y Nant estate, the trees are an attractive backdrop giving a wooded character to the immediate area.

The works are proposed following concerns of the owners of No.16 Brig y Nant that the trees may cause harm and were affecting their use of the garden.

It is proposed to remove one lower limb of the ash tree (T2) that overhangs the rear yard and fell a single sycamore tree (T1) that also overhangs the garden.

### **Key Issues**

The main issue is the likely effect on public amenity from the proposed works, and whether they are justified, having regard to the reasons put forward in support of them.

#### **T1**

The sycamore is one of a line of trees encroaching on the garden. T1 is suppressed by the others causing its branches to grow over the boundary into the garden giving limited clearance above the garden. Because of its form, the tree is unsuitable for reduction and it is proposed to be felled.

#### **T2**

While initially considered that the ash may have advanced ash dieback (ADB), a further survey in 2021 showed that the tree had only very early signs of ADB (under 25%) and no works were recommended on that basis. However, the tree is mature and under 5metres from the dormer dwelling, with the canopy further encroaching on the yard. It is an imposing tree when seen from the property and the proposed works will reduce this encroachment while reducing the weight of the tree on the dwelling side.

### **Policies**

Technical Advice Note 10: Tree Preservation Orders (1997)

### **Response to Consultation and Publicity**

<b>Consultee</b>	<b>Response</b>
Cynghorydd Nicola Roberts	No resposne
Cynghorydd Dylan Rees	No resposne
Cynghorydd Bob Parry	No resposne
Cyngor Tref Llangefni Town Council	No resposne

There is no requirement with TPO applications to carry out publicity. Given the minor nature of the works no publicity has been carried out.

### **Relevant Planning History**

TPO/2021/5 - Application for works to trees protected by a Tree Preservation Order at - 16 Brig y Nant, Llangefni – Withdrawn 02/07/2021

## **Main Planning Considerations**

The removal of the suppressed sycamore would be visible from public viewpoints but being suppressed by the other trees, would not alter the overall canopy of the tree line. The works to the ash would be visible from the property only and would not affect wider public amenity. The height and overall prominence of the tree would not be altered. The woodland designation does not require replacement planting as it is assumed that natural regeneration can replace any gaps formed in the woodland as a result of tree works.

## **Conclusion**

The works will have negligible adverse amenity effects and are suitably justified.

Conditions requiring that the work be carried out to the British Standard for tree works will be conditions of consent.

## **Recommendation**

That the application is permitted subject to the following condition:

**(01) The proposed works are done to British Standard 3998:2010 Tree Work – Recommendations.**

Reason: In the interest of amenity.

All birds, their nests and eggs are protected by law. Any disturbance between 1st March and 30th September could constitute a criminal offence.

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/2021/276

Applicant: Mrs K Parry

Description: Full application for the erection of 6 dwellings together with associated development on land at

Site Address: Burgess Agricultural Engineers Stryd y Bont / Bridge Street, Llangeni



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

The Local Member called in the planning application to the Planning and Orders Committee for consideration due to local concern.

**Proposal and Site**

The planning application is a full application for the erection of 6 dwellings together with associated development on land at the former Burgess Site, Llangefni.

Part of the site has already obtained planning consent for residential dwellings approved under planning application FPL/2020/150. A Section 73 application has been submitted for amendments to that previously approved and is currently awaiting a S106 agreement in relation to 1 affordable dwelling.

This application is to develop the remainder of the site.

## Key Issues

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

## Policies

### Joint Local Development Plan

Strategic Policy PS 1: Welsh Language and Culture  
 Strategic Policy PS 2: Infrastructure and Developer Contributions  
 Strategic Policy PS 4: Sustainable Transport, Development and Accessibility  
 Policy ISA 1: Infrastructure Provision  
 Policy TRA 2: Parking Standards  
 Policy TRA 4: Managing Transport Impacts  
 Strategic Policy PS 5: Sustainable Development  
 Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change  
 Policy PCYFF 2: Development Criteria  
 Policy PCYFF 4: Design and Landscaping  
 Policy PCYFF 3: Design and Place Shaping  
 Policy PCYFF 1: Development Boundaries  
 Policy PCYFF 5: Carbon Management  
 Policy TAI 1: Housing in Sub-Regional Centre & Urban Service Centres  
 Policy TAI 8: Appropriate Housing Mix  
 Policy TAI 15: Affordable Housing Threshold & Distribution

Technical Advice Note 2: Planning and Affordable Housing (2006)  
 Technical Advice Note 5: Nature Conservation and Planning (2009)  
 Technical Advice Note 12: Design (2016)  
 Technical Advice Note 18: Transport (2007)  
 Technical Advice Note 11: Noise  
 Technical Advice Note 20: Planning and the Welsh Language (2017)

Supplementary Planning Guidance - Planning and the Welsh Language (2007)  
 Supplementary Planning Guidance: Parking Standards (2008)  
 Supplementary Planning Guidance - Affordable Housing (2004)  
 Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)

Planning Policy Wales (Edition 11)

### Response to Consultation and Publicity

Consultee	Response
Dwr Cymru Welsh Water	Standard Comments
Cyfoeth Naturiol Cymru / Natural Resources Wales	Conditional Approval relating to land contamination.
Ymgynghorydd Treftadaeth / Heritage Advisor	No response
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	No response

Iechyd yr Amgylchedd / Environmental Health	Conditional Approval in relation to land contamination
Priffyrdd a Trafnidiaeth / Highways and Transportation	Comments in relation to parking standards and Sustainable Urban Drainage Scheme.
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Policy have provided standard comments in relation to the relevant policies and they have confirmed that the housing mix is acceptable.
Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service	Comments: Owing to a piece of archaeological evaluation conducted on this area concluding that the potential for surviving post-medieval remains is low, there is no recommendation for any mitigation in this instance.
Ymgynghoriadau Cynllunio YGC	Standard Comments in relation for the need to provide an application to the SAB for approval
Gwasanaeth Addysg / Education Service	No education contribution required.
Strategol Tai / Housing Strategy	No response
Cynghorydd Nicola Roberts	Requested the planning application is presented to the planning committee for consideration due to local concern.
Cynghorydd Dylan Rees	No response
Cynghorydd Bob Parry	No response
Cyngor Tref Llangefni Town Council	No objection

The proposal has been advertised through the posting of a notice on site together with the distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of any representation was the 03/11/2021. At the time of writing this report 1 letter of support had been received. The main comments as follows:-

- About time the whole site was developed as in an eye sore right in the middle of town. Will be nice for people to have the option to live on a smaller estate also rather than being crammed onto one of the other sites in Llangefni.

### Relevant Planning History

34C614/ECON – Outline application for the demolition of the existing building and erection of mixed use building comprising of A1, A2 and A3 uses and 45 residential apartment's at Burgess Ltd, Llangefni - Approved 6/9/2011

34C614A/SCR – Screening opinion for the demolition of the existing building and erection of mixed use building comprising of A1, A2 and A3 uses and 45 residential apartment's at Burgess Ltd, Llangefni - EIA Not Required 6/9/2011

34C614B – Change of use of land to provide temporary car park at Burgess Ltd, Llangefni - Withdrawn 11/10/2012

FPL/2020/150 – Full application for the erection of 9 dwellings together with associated development on land at Former Burgess Site, Llangefni – Approved 11/6/21 – S106

VAR/2021/69 - Application under Section 73 for the variation of condition (02) (as approved plans) and (06) (landscape) of planning permission reference FPL/2020/150 (erection of 9 dwellings together with associated development) so as to reduced the number of dwellings on the site, amendment to the site layout, landscaping and amended design of dwellings at Former Burgess Site, Llangefni – Approved subject to signing Section 106 agreement

### **Main Planning Considerations**

In the JLDP Llangefni is identified as an Urban Service Centre under policy TAI 1 (Housing in Sub-regional Centre and Urban Service Centres). This policy supports housing to meet the Plan's strategy through suitable unallocated sites within the development boundary and provided that the size, scale type and design of the development corresponds with the settlements character.

In accordance with Policy PCYFF 1 ('Development Boundaries'), proposals within development boundaries are approved if they comply with other policies and proposals in the Plan, National policies and other relevant planning considerations. This site lies within the Llangefni development boundary as identified in the JLDP. The proposal can therefore be considered against Policy TAI 1. The site is not allocated in the Plan for any specific land use.

### **Housing Considerations:**

The indicative supply level for Llangefni over the Plan period is 673 units (including a 10% 'slippage allowance', which means that the method of calculating the figure has taken into account potential unforeseen circumstances which could influence the provision of housing, e.g. land ownership matters, infrastructure restrictions, etc.) (485 on allocated sites and 188 on windfall sites). During the period of 2011 to 2021, a total of 162 units have been completed in Llangefni (95 on allocated sites and 67 on windfall sites). The windfall land bank, i.e. sites with existing planning consent, and likely to be developed at April 2021 stood at 51 units. The allocated sites landbank stood at 268. This means that at present there is capacity within the indicative supply for the settlement of Llangefni. In light of the above mentioned figures under criterion (1b) of Policy PS 1 currently there is no need for a Welsh language statement to support the application at this present time. Consideration will need to be given in relation to the proposed development and whether it addresses evidence of need and demand for housing recorded in a Housing Market Assessment and other relevant local sources of evidence. If not then there will be a need for a Welsh language statement in line with criterion (1c) of policy PS 1.

### **Housing Mix**

Policy TAI 8 'Appropriate Housing Mix' seeks to ensure that all new residential development contributes to improving the balance of housing and meets the identified needs of the whole community. Regard should be given to the LHMA, Council Housing Register, Tai Teg Register, 2014 - based household projections etc. to assess the suitability of the mix of housing in terms of both type and tenure proposed on development sites to redress an identified imbalance in a local housing market. The SPG Housing Mix (Oct 18) states that applications for 5 or more residential units should submit a housing statement to support the planning application. The proposal entails 6 no 3 bedroom dwellings.

### **Affordable Housing**

Policy TAI 15 seeks an appropriate provision of affordable housing. It has a threshold figure of 2 or more units within Urban Service centres such as Llangefni. Since the proposed development proposes an increase of 6 units, this meets with the threshold noted in Policy TAI 15 for making an affordable housing contribution. As Llangefni is situated within the 'Llangefni' housing price area in the Plan, it is noted that providing 10% of affordable housing is viable. As an increase of 6 units are proposed this means that 0.6 of the total new units should be affordable. The applicant has confirmed that Plot 5 will be an affordable dwelling which will be subject to a Section 106 agreement.

**Education Provision:**

Policy ISA 1 seeks adequate infrastructure capacity and where this is not provided by a service or infrastructure company, this must be funded by the proposal. Specifically for this type of development consideration is given to the capacity within local schools to accommodate the anticipated number of children on the site. It is also important to consider the effect of the proposed development on the capacity of local schools. The cumulative impact of other developments in the schools' catchment areas is also taken into account when assessing whether an education contribution should be made. The Lifelong Learning Department have assessed the application and confirmed there is no need for a contribution in this instance.

**Conservation Area:**

The application site is currently vacant brownfield land and is somewhat considered an eyesore in the heart of Llangefní and at the edge of the designated Conservation Area. The site has been left undeveloped for a lengthy period of time which has resulted in overgrown vegetation which is visible over the secure fencing surrounding the site. As previously noted, a mixture of uses is located around the site which includes a residential housing estate.

Due to the distance from the Conservation Area and existing backdrop beyond the application site, it is considered that the proposal, particularly the proposed dwellings will not have an adverse impact on important views out of the Conservation Area.

**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.

Regard has been given in terms of overlooking / loss of privacy and the effect on the outlook of adjacent residential properties. As previously noted, the application will be served from the east from Lon Newydd.

It is not considered that the new residential units will have an unacceptable impact upon the amenities of adjacent residential properties.

**Impact Upon Future Occupants:**

A Noise Impact Assessment has been submitted which identifies the key noise sources surrounding the site and to determine the level of noise impact that each noise source has on the site. The various noise sources include road traffic and noise measurements from a nearby supermarket. The Noise Assessment concluded that mitigation measures are required to ensure that external and internal noise levels do not have a detrimental impact upon future occupiers.

Due to the past use of the site, a Phase 1 and Phase 2 Contamination Report has also been submitted as part of the application. The report recommends that further intrusive work is undertaken which will be conditioned accordingly. Natural Resources Wales and the Environmental Health Section is satisfied for this to be conditioned.

**Local Highways Authority:**

The proposed dwellinghouses will be served by an improved access to the north from Lon Newydd. Although it is considered that the application site is located within a highly sustainable location, each dwelling will be provided with 2 parking spaces (12 in total). The Highways Authority has requested a total of 18 no parking spaces; however, as the site is located in a highly sustainable /town centre location it is

considered that there is adequate parking arrangements within a close proximity of the site. All parking spaces conform to the standard parking sizes. The applicant has confirmed that the vehicular turning area shown on the site plan has been designed to adoptable standards and will be able to accommodate larger vehicles (refuse wagon, fire engine etc).

### **Landscape and Biodiversity:**

A detailed landscaping scheme together with mitigation measures such as the inclusion of soffit bat boxes and Sparrow nest boxes have been included as part of the application. These are considered an enhancement to the existing condition of the site.

### **Conclusion**

The proposed development is considered acceptable and will provide a residential development within a highly sustainable location within Llangefni. The proposed development offers an opportunity of re-developing vacant land which has become somewhat of an eyesore within the heart of Llangefni. It is recommended that the planning application is approved subject to the signing of a Section 106 agreement to provide 1 affordable dwelling.

### **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.**

- **Location Plan 2765:21:P2:1**
- **Proposed Site Plan – 2765:21:P2:3b**
- **Proposed Streetscape Elevation – 2765:21:P2:7**
- **Soft Landscape Proposals – 20/31/PP/02**
- **Proposed Elevations Plots 1,2,5 & 6 – 2765:21:P2:5a**
- **Proposed Floor Plan Plots 1,2,5 & 6 – 2765:21:P2:4**
- **Proposed Floor Plans and Elevations Plots 3 & 4 – 2765:21:P2:6a**
- **Noise Assessment – Martec Environmental Consultants Ltd – Revised 16/12/21**
- **Desk Study and Preliminary Ground Contamination Risk Assessment – dated October 2020**
- **Dwelling Construction Material Specification – October 2021**
- **Ecological Assessment – Clwydian Ecology – dated 7th June 2020**
- **Construction Traffic Management Plan – dated October 2021**
- **Drainage Arrangements – AMP/AO/SP1C**

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

**(03) No site machinery or plant shall be operated, no process shall be carried out and no demolition or construction related deliveries received or dispatched from the site except between the hours of 08:00hrs – 18:00hrs Monday to Friday and 08:00hrs – 13:00hrs Saturday at no time on Sundays, bank or public holidays.**

Reason: To protect the amenity of the locality, especially for people living and/or working nearby.

**(04) The development hereby approved shall be carried out in accordance with the recommendations stated within the Stage 1 Phase 2 Ground Contamination Investigation Report. Notwithstanding that report, in the event of any contamination being found a suitable Remediation Strategy should be prepared for the site. The Remediation Strategy shall be submitted and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the Remediation Strategy.**

Reason; To safeguard the amenities of future occupants.

**(05) Development shall be carried out in accordance with the recommendations stated within the – Martec Environmental Consultant Ltd - Noise Assessment revised 16/12/21.**

Reason: To safeguard the amenities of future occupants.

**(06) All planting in the approved details of landscaping contained in the Tirlun Barr Soft Landscape proposals 20/31/PP/02 V1 shall be carried out in the first planting season 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 Policy PCYFF 4.

**(07) The access shall be laid out and constructed strictly in accordance with the submitted plan before the use hereby permitted is commenced and thereafter shall be retained and kept free from permanent obstruction and used only for access purposes.**

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

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

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

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

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

**(10) The access shall be completed with a bitumen surface for the first 5 metres from the nearside edge of the highway with the surface water drainage system completed and fully operational before the use hereby permitted is commenced.**

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

**(11) The car parking accommodation shall be completed in full accordance with the details hereby approved before the dwellings are occupied and thereafter retained solely for those purposes.**

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

**(12) The estate roads and its access shall be designed and constructed in accordance with 'Technical Requirements for Estate Roads in Anglesey' (copies of this document are available free on request from the local planning authority).**

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

**(13) The estate road(s) shall be kerbed and the carriageway and footways finally surfaced and lighted before the last dwelling on the estate is occupied or within 2 years of the commencement of the work on the application site whichever is the sooner.**

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

**(14) The construction of the Development shall be completed in accordance with AMP Construction and Groundworks LTD Construction Traffic Management Plan and Environmental Management Pan dated 08/12/2020.**

Reason: To ensure reasonable and proper control is exercised over construction traffic and construction activities in the interests of highway safety and to safeguard the amenity of nearby residential properties.

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PS1, PS2, PS4, ISA1, TRA2, TRA4, PS5, PS6, PCYFF2, PCYFF4, PCYFF3, PCYFF1, PCYFF5, TAI1, TAI8, TAI15

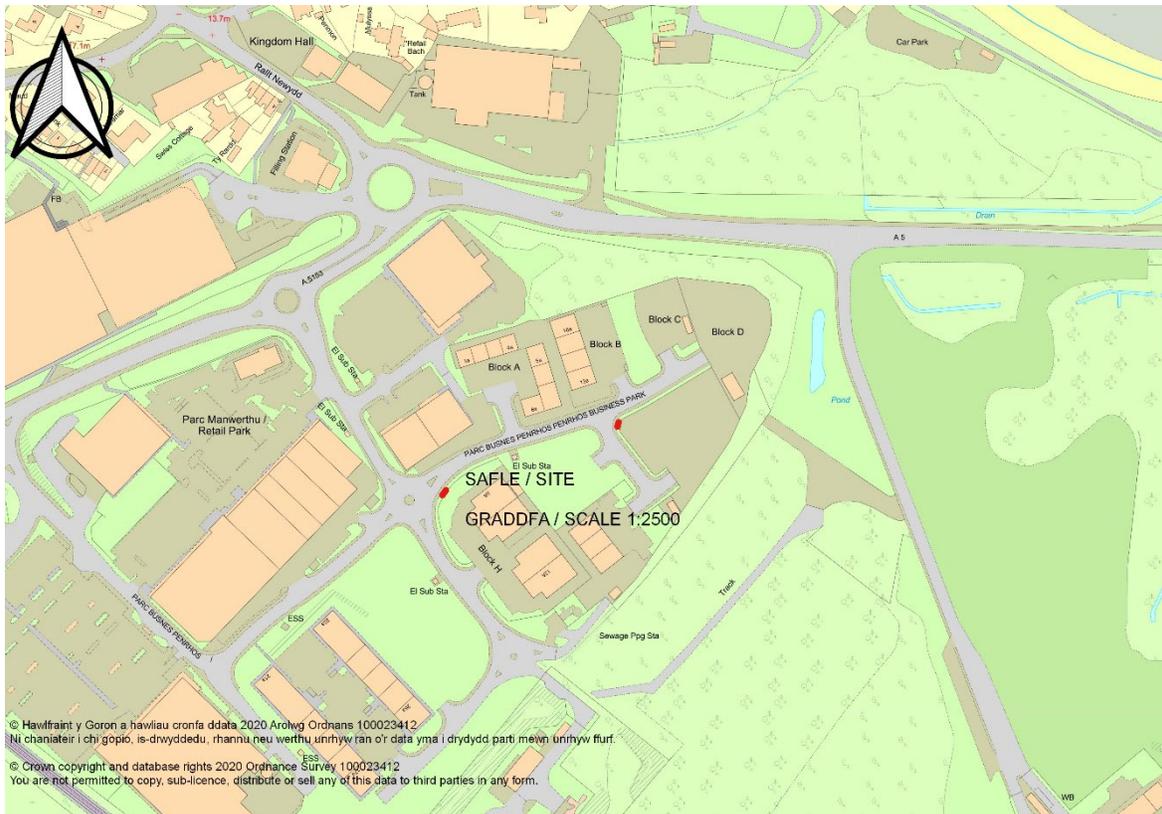
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: **ADV/2021/9**

Applicant: Mr G Goodsir

Description: Application for the siting of 2 non-illuminated signs on land at

Site Address: Block E, Penrhos Industrial Estate, Holyhead



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

The advertisements are located on Council owned land.

**Proposal and Site**

The application is made for the retention of two non-illuminated banner advertisements on for the retention of two non-illuminated banners. The banners are located on the security fencing of the adjoining land and on the fencing which encloses the applicants land.

The site was the former bus depot which has recently been granted temporary planning permission to change its use to a lorry park and the siting of a welfare building and toilet/shower block. The site is located on the outskirts of the town of Holyhead and is situated on the Penrhos Industrial Estate.

## Key Issues

The applications Key issues are;

- i. Compliance with Policy
- ii. Impact on locality
- iii. Highway Safety

## Policies

### Joint Local Development Plan

Policy PCYFF 2: Development Criteria  
Policy PCYFF 3: Design and Place Shaping  
Policy AMG 1: Area of Outstanding Natural Beauty Management Plans  
Strategic Policy PS 1: Welsh Language and Culture

Planning Policy Wales (Edition 11, February 2021)

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

### Response to Consultation and Publicity

Consultee	Response
Priffyrdd a Trafnidiaeth / Highways and Transportation	No objection
Cynghorydd Jeff M. Evans	No response
Cynghorydd Glyn Haynes	No response
Cynghorydd Robert Llewelyn Jones	No objection
Cyngor Tref Caergybi / Holyhead Town Council	No objection

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 03/11/2021. At the time of writing this report no letters of representation had been received at the department.

### Relevant Planning History

19C1028 –Full application for the creation of a bus depot together with the erection of an associated building on land at Penrhos Industrial Estate, Holyhead – Approved 16/02/09

FPL/2021/236 - Full application for the change of use of the existing bus depot yard and office building into a temporary truck stop yard together with the temporary siting of a welfare facilities unit and a toilet/shower block unit at Bloc E/Block E, Stad Diwydiannol Penrhos Industrial Estate, Holyhead - Approved 17/12/2021

### Main Planning Considerations

i. **Compliance with Policy** - Policy PSI of the Anglesey and Gwynedd Joint Local Development Plan states that;

*The Councils will promote and support the use of the Welsh language in the Plan area. This will be achieved by:*

*4. Requiring a bilingual Signage Scheme to deal with all operational signage in the public domain that are proposed in a planning application by public bodies and by commercial and business companies.*

The proposal currently under consideration involves the retention of one identification and one directional non-illuminated banners. The information provided on the banners consist of the name of the company and an arrow to illustrate the way to the site. There are no operational signage as part of the scheme which require bilingual signage.

**ii. Impact on locality** - The two banners are non-illuminated and are located on the security fencing that borders the site and neighbouring land. The scale and design of the banners are similar to what can be found in the immediate locality. The retention of both banners will not have a detrimental visual impact on the locality.

**iii. Highway Safety** - The Highway Authority have been consulted and have raised no objection to the development.

## **Conclusion**

**Summary and conclusion** - The proposal complies with current policy and their retention will not have a detrimental impact on the locality or on highway safety.

## **Recommendation**

That the application is permitted subject to the following conditions:

**(01) Consent is hereby given for a period of 3 YEARS beginning with the date of this consent.**

Reason: To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 1992.

**(02) Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the satisfaction of the local planning authority.**

Reason: In the interests of amenity.

**(03) No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, or so as otherwise to render hazardous the use of any highway.**

Reason: To ensure that the siting and design of the sign will be satisfactory from an amenity point of view and to comply with the requirements of the Highway Authority in the interests of the safety of vehicular and pedestrian traffic.

**(04) 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:**

**2927:21:1a - Location plan**

**2927:21:2 - Proposed site plan**

**2927:21:5 - Location of Advertisements 2927:21:6 - Proposed Signs**

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

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PS1,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.

Application Reference: FPL/2021/304

Applicant: Mr. G Jones

Description: Retrospective application for the use of a static caravan as a holiday purposes at

Site Address: The Lodge, Capel Bach, Rhosybol



### Report of Head of Regulation and Economic Development Service (Owain Hughes)

**Recommendation:** Refuse

#### Reason for Reporting to Committee

The application has been called in by Councillor Aled Morris Jones.

#### Proposal and Site

The application site lies on the outskirts of Rhosybol village in an open countryside location.

The proposal is for the use of the existing static caravan for holiday purposes.

#### Key Issues

The key issues are whether the proposed development complies with the relevant planning policies and whether the proposed development has an impact on the surrounding amenities.

## 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 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 PCYFF 4: Design and Landscaping  
Policy TWR 3: Static Caravan and Chalet Sites and Permanent Alternative Camping Accommodation

Planning Policy Wales (Edition 11, February 2021)

Technical Advice Note 13: Tourism (1997)  
Technical Advice Note 18: Transport (2007)

Supplementary Planning Guidance - Tourism Facilities and Accommodation - March 2021

### Response to Consultation and Publicity

Consultee	Response
Cynghorydd Richard Griffiths	No response
Cynghorydd Aled Morris Jones	Call In to the Planning Committee
Cynghorydd Richard Owain Jones	No response
Cyngor Cymuned Rhosybol Community Council	No response
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Comments
Prifffyrdd a Trafnidiaeth / Highways and Transportation	No objection
Dwr Cymru Welsh Water	Comments

The application was publicised by serving of personal notification letters on the owners of neighbouring properties. The latest date for the receipt of representations was the 17/12/2021. At the time of writing this report, no representations had been received at this department.

### Relevant Planning History

FPL/2019/111 - Full application for conversion of outbuilding into a self contained holiday let unit at - Capel Bach, Rhosybol – Permitted 29/07/2019

44C28C - Full application for change of use of storage building (B8 Use Class) into a hair salon (A1 Use Class) together with the creation of new access at Capel Bach, Rhosybol. Permitted 28/03/2018

## Main Planning Considerations

The application is made for the change of use of an existing static caravan used for incidental purposes into holiday accommodation at Capel Bach, Rhosybol.

The application site is located in the open countryside, outside any defined development boundary or identified cluster.

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

The application site is not located within a development boundary and does not therefore accord with policy PCYFF1. It is therefore necessary to consider whether the proposal conforms with other specific plan policies.

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

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 Council 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 3 of the JLDP relates to Static Caravan and Chalet Sites and Permanent Alternative Camping Accommodation and states that Proposals for the development of new static caravan, holiday chalet sites or permanent alternative camping accommodation will be refused within the Anglesey Coast Area of Outstanding Natural Beauty, Llŷn Area of Outstanding natural Beauty and the Special Landscape Areas. In other locations proposal for new static caravan or holiday chalet sites and permanent alternative camping accommodation will only be granted where:

- i. It can be demonstrated that it doesn't lead to a significant intensification in the provision of static caravan or chalet or permanent alternative camping sites in the locality; and
- ii. That the proposed development is of high quality in terms of design, layout and appearance, and is sited in an unobtrusive location where it is well screened by existing landscape features and/or where the units can be readily assimilated into the landscape in a way which does not significantly harm the visual quality of the landscape; and
- iii. That the site is located close to the main highway network and that adequate access can be provided without significantly harming landscape characteristics and features.

The above policy is supported by the adopted Supplementary Planning Guidance (SPG) on Tourism Facilities and Accommodation.

Paragraph 5.2.1 of the Tourism Facilities and Accommodation SPG states that applications for standalone single caravans, chalets or pods placed in a field or within the curtilage of residential dwellings without any associated facilities are not considered to be high quality development and therefore do not align with Policy TWR 3. These type of developments do not enhance the type and quality of tourist offer in the plan area and the cumulative effects of such developments can have a negative impact on the landscape.

In light of the above, the proposal is therefore considered to be contrary to the provisions of policy TWR 3 of the JLDP.

### **Conclusion**

In light of the above, it is considered that the proposed development does not comply with the relevant planning policies and the recommendation is one of refusal.

### **Recommendation**

That the application is refused for the following reason:

**(01) The Local Planning Authority does not consider that the proposal for a single standalone holiday static caravan in the open countryside to be a high quality development and is therefore contrary to the requirements of policies PCYFF1 and TWR 3 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/2021/302

Applicant: Mr Iwan Jones

Description: Full application for the change of use of land from agricultural to accommodate 10 touring Caravans at

Site Address: Bunwerth, Trearddur Bay, Holyhead



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

**Recommendation:** Refuse

**Reason for Reporting to Committee**

The planning application has been presented to the Planning and Orders Committee as two local members have called in the application to the committee for consideration.

**Proposal and Site**

This is a full application for the change of use of land from agricultural to accommodate 10 touring Caravans at Bunwerth, Trearddur Bay.

The site is within the AONB within a small agricultural enclosure south of the B4545 on the approach to Trearddur Bay.

### Key Issues

The key issue is whether the development complies with local and national policies, whether the development comprises high quality development and whether the development would be harmful to the character and appearance of the AONB.

### Policies

#### Joint Local Development Plan

Strategic Policy PS 5: Sustainable Development  
 Policy PCYFF 1: Development Boundaries  
 Policy PCYFF 2: Development Criteria  
 Policy PCYFF 3: Design and Place Shaping  
 Policy PCYFF 4: Design and Landscaping  
 Strategic Policy PS 14: The Visitor Economy  
 Strategic Policy PS 4: Sustainable Transport, Development and Accessibility  
 Policy TWR 5: Touring Caravan, Camping and Temporary Alternative Camping Accommodation  
 Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment  
 Policy AMG 1: Area of Outstanding Natural Beauty Management Plans  
 Policy AMG 3: Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character  
 Policy AMG 5: Local Biodiversity Conservation  
 Policy TRA 2: Parking Standards  
 Policy TRA 4: Managing Transport Impacts

Supplementary Planning Guidance Holiday Accommodation (2007)  
 Supplementary Planning Guidance Tourism Facilities and Accommodation (2021)

### Response to Consultation and Publicity

Consultee	Response
Prifffyrdd a Trafnidiaeth / Highways and Transportation	No objection
GCAG / GAPS	No comments
Iechyd yr Amgylchedd / Environmental Health	Standard Comments
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	No response
Dwr Cymru/Welsh Water	Standard Comments
Cyfoeth Naturiol Cymru / Natural Resources Wales	Concerns over impact on Area of Outstanding Natural Beauty.
Ymgynghoriadau Cynllunio YGC	Comments
Cynghorydd Dafydd Rhys Thomas	No response
Cynghorydd John Arwel Roberts	Requested that the planning application be presented to the Planning and Orders Committee for consideration.

Cynghorydd Trefor Lloyd Hughes	Requested that the planning application be presented to the Planning and Orders Committee for consideration.
Cyngor Cymuned Trearddur Community Council	No response

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 24/11/2021. At the time of writing this report, no letter of representation had been received at the department.

### **Relevant Planning History**

FPL/2020/99 - Full application for the change of use of land from agricultural to accommodate 10 touring Caravans at - Bunwerth, Trearddur Bay, Holyhead - 18/12/20 Refused

SCR/2020/24 - Screening opinion for FPL/2020/99: Full application for the change of use of land from agricultural to accommodate 10 touring Caravans at - Bunwerth, Trearddur Bay - EIA Not Required 15/07/2020

### **Main Planning Considerations**

#### **Proposal and General Considerations**

As a context the application site comprises agricultural land within an Area of Outstanding Natural Beauty 'AONB'. The application is located in an open countryside location just outside Trearddur Bay.

#### **Principle of Development**

Policy TWR5 permits touring and caravan, camping and temporary alternative camping accommodation subject to the listed criteria though there are also other more generic policies such as PCYFF2, PCYFF3 and PCYFF4 which are considered material in considering the relationship of the proposal with their surroundings.

These policies and notably criteria 1 of TWR 5 require that the proposed development is high quality in terms of design, layout and appearance and is sited in an unobtrusive location, well screened which can be readily assimilated into the landscape in a way that does not significantly harm the visual quality of the landscape. The supporting text of policy TWR5 at paragraph 6.3.82 states that landscape setting, site layout and screening will be important considerations in assessing proposals and that in all cases the applicant will need to submit a landscaping plan.

Supplementary Planning Guidance – Tourism Facilities and Accommodation. Developments must be high quality and the SPG refers to the quality of the development in terms of land-use considerations and not to any recognised grading scheme operated by the tourism industry. In addition to local policy requirements, national policy guidance states that development in rural areas should embody sustainability principles, balancing the need to support the rural economy, whilst maintaining and enhancing the environmental, social and cultural quality of rural areas (TAN13: Transport, para 3.11).

Paragraph 3.1.2 of the SPG states that all proposed tourism developments should be high quality in terms of design, layout and appearance. A primary consideration will be the overall quality of the 'scheme', measured against the requirements of the plan's development management policies.

Paragraph 3.1.3 of the SPG provides a criteria which help define high quality development in terms of land use considerations include:

- Sites located in a sustainable location i.e. within or close to existing settlements where new development can be best be accommodated in terms of infrastructure, access and habitat and landscape conservation and sites not normally lying in open countryside unless there is robust justification for this;
- Sites that are close to the main highway network and have good links to various modes of transport;
- Sites that are not visually intrusive on the landscape, are well screened and do not cause adverse harm to protected landscapes (e.g. the AONB and SLAs) or heritage assets (e.g. World Heritage Sites and Scheduled Ancient Monuments);
- Sites that are not located within zone C of the development advice maps (TAN15);
- Sites that are of a suitable scale to fit in with their surroundings;
- Sites that have existing landscape cover and no major visual impact;
- Protecting the undeveloped coast;
- Protecting and promoting biodiversity interest;
- Respect for the historic and natural environment;
- Helps reinforce and strengthen an existing tourism centre and makes better use of land by consolidating areas of existing tourism activity (tourist attractions, marina etc.);
- Enhancing suitable previously developed (brown field) land;
- Part of a scheme for agricultural diversification

As existing screening on the site is gappy or low in height, the north east of the site would be most visible in views from a short portion of the highway.

As the proposal is for tourers which are white, the LPA's assessment is that views of the site lean towards it being obtrusive, even if not all the tourers would be completely visible. There is scope for part of each to be visible indicating the breadth of the proposed development.

A landscaping scheme has been provided with the planning application. The landscaping scheme would reinforce the existing screening and is predicted in the assessment to take 5-10 years to become substantially effective. This is a realistic assessment and the conclusion of slight adverse is not disputed. The landscaping details received with the planning application states that the site is presently very well screened, the Local Planning Authority does not consider that the existing site is very well screened and would therefore be contrary to criteria 1 of Policy TWR 5 which states that development should be sited in an unobtrusive location, well screened which can be readily assimilated into the landscape in a way that does not significantly harm the visual quality of the landscape.

The Agent's email dated 19th November on the previous planning application FPL/2020/99 omits the reference to 'adverse' effects and predicts more instant beneficial effects (negligible impact) from the landscaping and predicts that the majority of the view would be taken up by the recreational area. Although this is the most visible area, there would be seasonal views of the units to the rear and south west of this.

Having regard to the above it is not considered that the proposed development meets the policy requirements described above; consideration in relation to the AONB are assessed below.

The site is within the AONB within a small agricultural enclosure south of the B4545 on the approach to Trearddur Bay. The site is west of the more intensive tourist areas to the west on the coast, and is located to the north of the rocky outcrops that extend south towards Rhoscolyn on the coast. In the immediate area there are two tourism sites located to the north of the B4545 with agricultural buildings immediate to the site. The most sensitive of the limited views of the site is from the on the exit from Trearddur Bay where it is seen at the edge of the craggy landscape to the south which rises marginally to the rear of the site. There are roadside glimpses into the site near the access interrupted by topography with some screening from hawthorn and gorse hedges.

Impact on the AONB Paragraph 5.3.5 of PPW states that the primary objective of designating AONB's is the conservation and enhancement of their natural beauty and that development management decisions should favour conservation of natural beauty, although it will also be appropriate to have regard to the economic and social well-being of the areas. There is also a statutory requirement to have regard to the

provisions of the AONB Management Plan. The Countryside and Rights of Way Act 2000 requires that the council have regard to the purpose of conserving and enhancing the natural beauty of AONBs when performing their functions. The Isle of Anglesey Council AONB Management Plan includes policy CCC 3.2 which states that new developments 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.

It is within LANDMAP aspect area YNSMNV007 Holy Island which is described as 'This consists of three parts, separated by areas of development, forming most of the island... It is low-lying with a pattern of low craggy ridges and marshy bottoms... The small roads also follow these alignments along the sides of the ridges, serving the scattered houses and farms and giving access to the popular beaches of the west coast... There are small fields with sheep, stone walls and gorse hedges... The few trees are wind-pruned... There is limited tourist development, with a few caravan/camping sites, but it remains unspoilt, with good views to the coast and to Holyhead Mountain, with a feeling of maritime openness... Overall it has a character and feeling similar to most parts of westernmost peninsula Britain, including the western part of Llyn... The quiet atmosphere of this landscape is shattered during weekdays by jets from nearby RAF Valley...'

Its overall value is High as a 'Generally quiet unspoilt rural landscape with attractive mix of rough knolls, marshy and small-scale fields, and coastal views...'

It is within Landscape Character Area 2: Holy Island with this immediate area described as 'To the south of the road, again there are rough, craggy areas. However around Rhoscolyn is an area of more undulating terrain, where glacial clay cover is more widespread, with discrete rocky outcrops and areas of coastal and estuarine alluvium'.

The LCA description notes that 'Trearddur is a good example of the influence that tourism can bring to an area to affect its character. The hotels, second homes, camping and caravan sites together with the golf course all contribute to this. Notwithstanding this, the LCA represents a landscape character that is quite distinctive – rural, wild, exposed, coastal – with the main detractor being aircraft noise from the adjacent RAF Valley airfield.'

Key Issues identified for the Coastal Landscape and recreational and tourism development are:

- Direct or indirect impact upon coastal landscapes.
- Visual impact on people's perception of the coast, its character and qualities.
- Have regard to the AONB Management Plan.

#### Sustainability

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

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

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

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

It is considered that the policies contained within the JLDP are consistent with national planning policy in terms of its approach to sustainable development principles. Paragraph 3.35 of PPW (Edition 11) states,

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

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

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

Paragraph 3.15 of TAN 18 states that tourism proposals, particularly in rural areas, should demonstrate access by choice of modes in order to avoid the necessity to travel by car. In rural areas the lack of public transport access needs to be balanced against the contribution tourism makes to the rural economy of the specific area.

It is considered that the application site is within walking distance of Trearddur Bay which has a range of facilities available within the village. It is therefore considered that the application site is in a sustainable location.

## **Highways**

### **Affect on adjacent residential properties**

Policy PCYFF2 (criteria 7) states that development will be refused where the proposed development would have an unacceptable adverse impact on the health, safety or amenity of occupiers of local residences, other land and property uses or characteristics of the locality due to increased activity, disturbance, vibration, noise, dust, fumes, litter, drainage, light pollution, or other forms of pollution or nuisance.

Due to the distance away from the nearest residential properties, it is not considered that the proposal would have a negative impact upon their amenity.

## **Conclusion**

It is not considered that the proposal comprises of high quality development and it would also be harmful to the character and appearance of the area which forms part of the AONB.

## **Recommendation**

That the application is refused for the following reason:

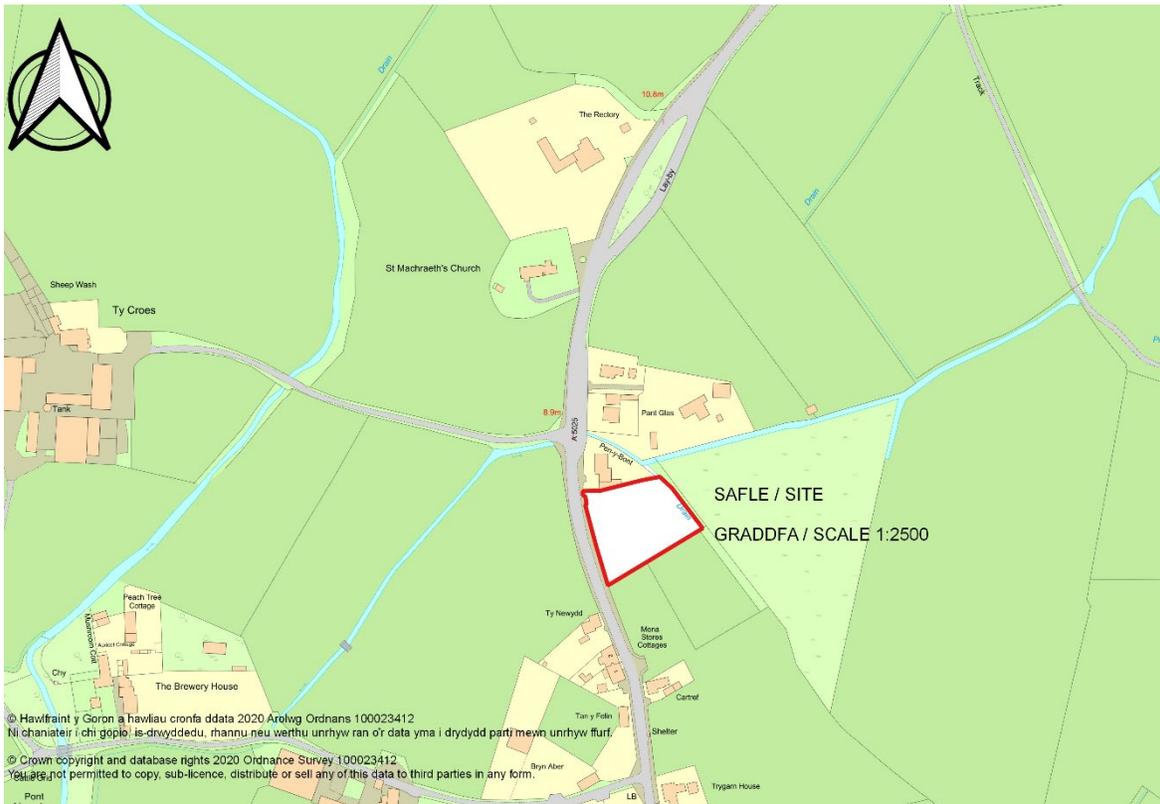
**(01)The proposal not considered to comprise high quality development and it would also be harmful to the character and appearance of the area which forms part of an Area of Outstanding Natural Beauty. This would be contrary to the provisions of policies TWR5, PCYFF3, AMG1 of the Anglesey and Gwynedd Joint Local Development Plan (2017), Planning Policy Wales (Edition 11) (February 2021), Supplementary Planning Guidance – Holiday Accommodation (September 2007) and Supplementary Planning Guidance – Tourism Facilities and Accommodation (March 2021).**

Application Reference: VAR/2021/63

Applicant: Head of Service (Tai)

Description: Application under Section 73 for the variation of condition (02)(Approved Plans) of planning permission reference FPL/2019/278 (Full application for the demolition of existing primary school buildings in addition to the erection of 8 dwellings together with the construction of a vehicular access on land) so as to amend external design at

Site Address: Llanfachraeth Primary School, Llanfachraeth



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

The Isle of Anglesey County Council are the landowners of the site.

**Proposal and Site**

The application is for variation of condition (02)(Approved Plans) of planning permission reference FPL/2019/278 (Full application for the demolition of existing primary school buildings in addition to the erection of 8 dwellings together with the construction of a vehicular access on land) so as to amend external stone material choice for dwellings.

## Key Issues

The key issues is whether the proposed new stone cladding material choice would have a negative impact on the previously approved dwellings and the surrounding area.

## Policies

### Joint Local Development Plan

PS 5 – Sustainable Development.  
PCYFF 2 – Development Criteria.  
PCYFF 3 – Design and Place Shaping.  
PCYFF 4 – Design and Landscaping.  
TAI 4 – Housing in Local, Rural & Coastal Villages

SPG Design in the Urban and Rural Built Environment, 2008 “SPG Deign Guide”

Technical Advice Note (TAN) 12: Design (2016).

### Response to Consultation and Publicity

Consultee	Response
Iechyd yr Amgylchedd / Environmental Health	No observations to make.
Dwr Cymru/Welsh Water	No objection.
Strategol Tai / Housing Strategy	No observations to date.
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Advised that policies PS5, PCYFF2, PCYFF3 and PCYFF 4 be considered.
Adain Dechnegol (Draenio) / Technical Section (Drainage)	No observations to date.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	New plans show bat and bird boxes in positions as agreed for the earlier case. This is fine (and these should be installed as shown).
Priffyrdd a Trafnidiaeth / Highways and Transportation	Had no comment to make.
Gwasanaeth Addysg / Education Service	No observations to date.
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objection.
Ymgynghorydd Tirwedd / Landscape Advisor	This is a minor design change and should be considered by the determining officer.
Cynghorydd John Griffith	No observations to date.
Cynghorydd Kenneth P. Hughes	No observations to date.
Cynghorydd Llinos Medi Huws	No observations to date.
Cyngor Cymuned Llanfachraeth Community Council	No objection. Recommend the proposed stone is local stone which would blend in with the area, like Pre- Cambrian grey similar to the field walls.

Neighbour notification letters were sent out to neighbouring properties with the expiry date for receiving representations was the 14/10/2021. Amended plans and material details were provided on the 25/11/2021 and new neighbour notification letters have been sent out to neighbouring properties with the expiry date for receiving representations is the 31/12/2021. At the time of writing this report no letters of concern have been received.

### **Relevant Planning History**

DIS/2021/4 - Application to discharge condition (06)(Construction Environmental Management Plan 'CEMP'), (07)(Foul drainage scheme), (09)(Affordable housing scheme), (10)(Photographic survey), (15)(Construction Traffic Management Plan 'CTMP'), (16)(Full drainage scheme), (17)(Additional plans) and (20)(Future maintenance of the access and estate roads) of planning permission FPL/2019/278 on land at - Llanfachraeth Primary School, Llanfachraeth - Condition Partially Discharged 08/04/2021

FPL/2019/278 - Full application for the demolition of existing primary school buildings in addition to the erection of 8 dwellings together with the construction of a vehicular access on land at - Llanfachraeth Primary School, Holyhead Permitted 19/02/2020

### **Main Planning Considerations**

The principle of developing the site has already been established under planning application reference FPL/2019/278 where permission was granted for the demolition of the existing primary school buildings in addition to the erection of 8 dwellings together with the construction of a vehicular access on the 19/02/2020. Development has commenced on site safeguarding planning permission reference FPL/20219/278.

### **Joint Local Development Plan**

Policy TAI4 of the Joint Local Development Plan relates to the provision of open market dwellings in local, rural and coastal villages and states that they will be granted provided they conform the size, scale, type and design of the settlements character and the site is within a development boundary. However, as the application site has been safeguarded with development commencing on application reference FPL/2019/278 the following must be considered:

- Is there a likelihood that the existing permission can be implemented.
- Are the amendments to the permission considered to enhance or complement the previously approved.

The amendments are proposed in the current application as follows:-

- Replacing the previously approved stone material choice on the terraced bungalows from 'Aber Quarry Moelfre Limestone' to 'Celtic Blend'.
- Amending the previously approved white render and timber cladding for stone cladding 'Celtic Blend' on the front elevation of the semi-detached dwellings.

The previously approved terraced bungalows are located adjacent to the A5205 road going through Llanfachraeth. The front elevation facing the road and the side elevations of the bungalows have half their proposed elevations clad in stone. The semi-detached houses are located to the East on the site and have a private road and the bungalows between them and the A5205 road. The proposed stone cladding would cover approximately half of the houses front elevations with the rest of the dwellings walls being rendered.

The proposed stone material choice 'Celtic Blend' colour and layering is considered a reasonable material choice with the proposed material not having a negative impact on the previously approved dwellings, neighbouring dwellings or on the surrounding area to warrant refusal and have overturned on appeal.

## Conclusion

The previously approved planning permission has been safeguarded through the commencement of works on site. The amendment to the previously approved dwellings by amending the previously approved stone cladding on the bungalow dwellings and amending the timber and render cladding for stone cladding on the semi-detached dwellings is considered reasonable and complies with Policies PCYFF2, PCYFF3 and PCYFF4 of the Joint Local Development Plan

## Recommendation

That the application is permitted subject to the following conditions:

**(01) 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 2542:17:PLa - Received with planning application FPL/2019/278
- Existing Elevations 2542:18:5 - Received with planning application FPL/2019/278
- Existing Site Plan 2542:18:2a - Received with planning application FPL/2019/278
- Proposed Site Plan 2542:18:P3g - Received with planning application FPL/2019/278
- Proposed Elevations – Bungalows 2556:18:BR6b – Dated November 2021 – Received 25/11/2021 – Received with planning application VAR/2021/63
- Proposed Floor Plans – Bungalows 2556:18:P4a - Received with planning application FPL/2019/278
- Proposed Floor Plans - Proposed 2 Bedroom 4 Person Dwelling 2556:18:P6c – Received with planning application FPL/2019/278
- Proposed Floor Plans - Proposed 2 Bedroom 4 Person Dwelling Plots 7 & 8 2556:18:P7b – Received with planning application FPL/2019/278
- Proposed Elevations – Proposed Elevations Plots 5 & 6 - 2556:18:BR9a – Dated August 2021 – Received with planning application VAR/2021/63
- Proposed Elevations – Proposed Elevations Plots 7 & 8 – 2556:18:BR10a – Dated August 2021 - Received with planning application VAR/2021/63
- General Arrangement of Highway Construction 6869/GA/001 General Arrangement of Vehicle Tracking Ingress and Egress of Refuse Vehicle to Proposed Estate Road 6869/GA/002 Received with planning application FPL/2019/278
- Protected Species Survey.v2 (Cambrian Ecology Ltd) 14th January 2020 - Received with planning application FPL/2019/278
- Dwelling Construction Material Specification (Russell-Hughes Cyf.) December 2019 - Received with planning application FPL/2019/278
- Construction Traffic Management Plan – RLD Construction - Received with planning application DIS/2021/4
- TRT Lighting Road & Tunnel Systems – ‘Aspect Mini’ – Manufacturer details – Received with planning application DIS 2021/4
- Outdoor Lighting Report - TRT Lighting Road & Tunnel Systems – By Pete Harris – Dated 03/12/2020 - Received with planning application DIS 2021/4
- Construction Environmental Management Plan – Revision A – Dated January 2021 - Received with planning application DIS 2021/4
- Affordable Housing Statement - Received with planning application DIS 2021/4
- Reasonable Avoidance Measures Strategy – Cambrian Ecology Ltd – Dated 19/01/2021 - Received with planning application DIS 2021/4
- Proposed Lighting Plan – Design Check (R0) – Dated 03/12/2020 - Received with planning application DIS 2021/4
- Proposed General Arrangement Plan – 4770-CAU-XX-XX-DR-C-1500 – Dated 15/01/2021 - Received with planning application DIS 2021/4

- **Proposed Carriage Alignment Plan – 4770-CAU-XX-XX-M2-C-1501 – Dated 21/01/2021 - Received with planning application DIS 2021/4**
- **Proposed Vehicular Route Refuse Vehicle Plan – 4770-CAU-XX-XX-M2-C-1502 – Dated 21/01/2021 - Received with planning application DIS 2021/4**
- **Proposed Drainage Layout Plan – 4770-CAU-XX-XX-DR-C-1600 – Dated 22/01/2021 - Received with planning application DIS 2021/4**
- **Highway Details Plan – 4770-CAU-XX-XX-DR-C-5500 – Dated 20/01/2021 - Received with planning application DIS 2021/4**
- **Drainage Details sheet 1 of 1 – 4770-CAU-XX-XX-DR-C-5600 – Dated 20/01/2021 - Received with planning application DIS 2021/4**
- **Drainage Details Sheet 2 of 2 – 4770-CAU-XX-XX-DR-C-5601 – Dated 20/01/2021 - Received with planning application DIS 2021/4**

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

**(02) The approved means of enclosure as shown on drawing number 2542:18:P3g shall be constructed or erected prior to the occupation of the dwelling(s) or part of the development to which it relates and it shall thereafter be retained in the lifetime of the development hereby approved and any replacement wall or fencing shall be to an equivalent specification.**

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

**(03) The landscaping scheme as shown on drawing number 2542:18:P3g shall be implemented not later than the first planting season following the occupation of the building(s) or the completion of the development, whichever is the sooner.**

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

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

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

**(05) Work shall proceed in accordance with the Construction Environmental Management Plan “CEMP” submitted under planning application reference DIS/2021/4.**

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

**(06) The foul drainage scheme shall be implemented in accordance with the approved details submitted under planning application reference DIS/2021/4 and prior to the occupation of the development and no further foul water shall be allowed to connect directly or indirectly with the public sewerage system.**

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

**(07) Nobody will be permitted to occupy any dwelling erected as part of the development until parking spaces for the properties have been constructed.**

Reason: In order to ensure that the development does not lead to any road / parking problems.

**(08) The affordable housing shall be provided in accordance with the approved scheme submitted under planning application reference DIS/2021/4 and shall meet the definition of affordable housing in Technical Advice Note 2: Planning and Affordable Housing (June 2006) or any future guidance that replaces it.**

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

**(09) The access shall be laid out and constructed strictly in accordance with the submitted plan before the use hereby permitted is commenced and thereafter shall be retained and kept free from permanent obstruction and used only for access purposes.**

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

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

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

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

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

**(12) The access shall be completed with a bitumen surface for the first 5 meters from the nearside edge of the highway before the use hereby permitted is commenced.**

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

**(13) Work shall proceed in accordance with the Construction Traffic Management Plan (CTMP) submitted under planning application reference DIS/2021/4.**

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

**(14) The surface water drainage scheme shall be implemented in accordance with the approved details submitted under planning application reference DIS/2021/4 and prior to the occupation of the development. No surface water from the within the application site shall discharge onto the highway.**

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

**(15) The estate road and the street lighting shall be implemented in accordance with the approved details submitted under planning application reference DIS/2021/4 and prior to the occupation of the development.**

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

**(16) The estate road(s) and its access shall be designed and constructed in accordance with 'Residential Road Adoption Specification Requirements' (copy enclosed with this decision notice).**

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

**(17) The estate road(s) shall be kerbed and the carriageway and footways finally surfaces and lighted before the last dwelling on the estate is occupied or within 2 years of the commencement of the development hereby approved.**

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

**(18) The future maintenance of the access and estate roads shall be implemented in accordance with the approved details submitted under planning application reference DIS/2021/4.**

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

**(19) If, during the works, contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed in an appropriate remediation scheme which shall be submitted to and approved in writing by the Local Planning Authority. The relevant parts of the application site shall thereafter be re-mediated in accordance with the additional scheme of remediation.**

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with Local Planning Policy.

**(20) The stone cladding material choice for the dwellings will be 'Celtic Blend' as detailed within manufacturer's brochure WILD STONE UK - The art of Walls submitted under planning application reference VAR/2021/63.**

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

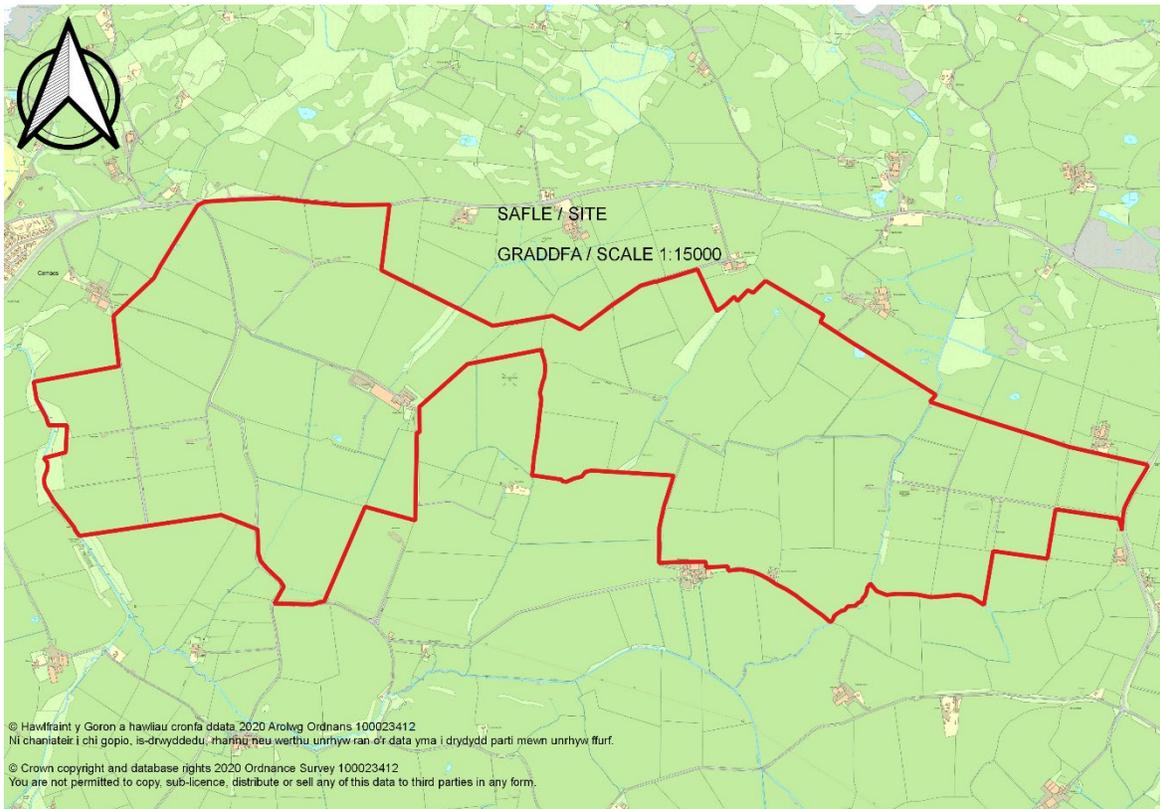
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

**Application Reference: MAO/2021/31**

**Applicant: TPG Wind Ltd**

**Description:** Minor amendments to the scheme previously approved under planning permission 20C102L/EIA/RE (Full application for the erection of 11 wind turbines ) at Rhyd y Groes, Rhosgoch so as to amend the wording of condition 24 so as to allow the details to be submitted prior to the erection of the turbines rather than prior to the commencement of the development at

**Site Address:** Rhyd y Groes Wind Farm, Cemaes



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

As the application seeks consent to vary conditions attached to an EIA development the application is reported to the Planning Committee as required by the Council's Constitution.

**Proposal and Site**

The application site accommodates the existing Rhyd-y-Groes windfarm and predominantly comprises improved grassland used for grazing. The site is accessed off the A5025 along existing roads, farm tracks and via additional tracks proposed to the base of the turbines.

The primary application which included the erection of 11 wind turbines was approved on the 21/10/2016 subject to conditions. The proposal considered under the current application entails to amend the wording of condition 24 so as to allow the details to be submitted prior to the erection of the turbines rather than prior to the commencement of the development at

### Key Issues

Whether or not the proposal can be considered as non material amendments.

### Policies

#### Joint Local Development Plan

Strategic Policy PS 5: Sustainable Development  
 Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change  
 Policy PCYFF 2: Development Criteria  
 Strategic Policy PS 7: Renewable Energy Technology  
 Strategic Policy PS 16: Housing Provision  
 Policy AMG 2: Special Landscape Areas  
 Policy AMG 4: Coastal Protection  
 Policy AMG 5: Local Biodiversity Conservation

#### Response to Consultation and Publicity

Consultee	Response
Diogelu – Y Weinyddiaeth Amddiffyn / MOD Safeguarding	No Objection

Not applicable

#### Relevant Planning History

DIS/2021/59 - Application to discharge condition (24)(a) (maximum extension height of any construction equipment) and to partially discharge condition (24)(b) (latitude and longitude of every turbine) of planning permission 20C102L/EIA/RE at - Fferm Wynt Rhyd y Groes Wind Farm, Ceames - Condition Partially Discharged 26/07/2021

MAO/2021/26 - Minor amendments to the scheme previously approved under planning permission 20C310B/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 5, 6, and 11 to allow the development to take place in two phases (phase 1 – enabling works and phase 2 – installation of panels) at - Fferm Solar Porth Wen Solar Farm, Cemaes – Approved -04/11/2021

DIS/2021/86 - Application to discharge conditions (08) (fencing details) and (12) (landscaping details) of planning permission 20C310B/EIA/RE (construction of a 49.99MW solar array farm) at - Fferm Solar Porth Wen Solar Farm, Cemaes - Not yet determined

20C102L/EIA/RE - Full application for the erection of 11 wind turbines comprising of 6, up to 900kW wind turbines with a maximum hub height of up to 55m, rotor diameter of up to 52m, and a maximum upright vertical tip height of up to 79m, and 3, up to 900kW wind turbines with a maximum hub height of up to 45m, rotor diameter of up to 52m, and a maximum upright vertical tip height of up to 70m, and 2, up to 900kW wind turbines with a maximum hub height of up to 45m, rotor diameter of up to 52m, and a maximum upright vertical tip height of up to 66m above ground together with the creation of crane pads,

foundations, underground electricity cables, improvements to parts of the existing track, works to the highway, the creation of new access tracks, an extension to the existing 33kV substation, the erection of a new 11kV substation, the erection of an anemometer and temporary construction and storage compounds and batching plant (which would also entail the de-commissioning of the existing wind farm) at- Rhyd y Groes Wind Farm, Rhosgoch – Approved 21/10/2016

### **Main Planning Considerations**

Planning permission reference 20C102L/EIA/RE dated 21st October 2016 permits the erection of 11 wind turbines and ancillary works on land at Rhyd y Groes, Burwen, Amlwch.

Condition 24 of the planning permission 20C102L/EIA/RE states:

(24) The development shall not commence until the following has been submitted to and approved in writing by the local planning authority.

- a) The maximum extension height of any construction equipment.
- b) The latitude and longitude of every turbine upon finalisation taking account of known ground conditions or archaeological constraints.

The development shall thereafter be undertaken strictly in accord with the details approved under the provisions of this condition.

Reason: To ensure that military aircraft avoid the area and avoid the danger of collision.

However, as the turbine manufacturer has not yet been appointed, the applicant cannot discharge this condition as the latitude and longitude of every turbine is not known at this stage. The applicant has therefore submitted an application for a non-material amendment to change the wording of this condition to that 'turbine erection' shall not commence until part (a) and (b) of condition 24 has been submitted and approved in writing as opposed to 'the development' shall not commence. This will allow other parts of the developments to proceed (subject to discharge of other conditions as necessary).

The proposed wording of condition 24 is:

(24) Turbine erection shall not commence until the following has been submitted to and approved in writing by the local planning authority.

- a) The maximum extension height of any construction equipment.
- b) The latitude and longitude of every turbine upon finalisation taking account of known ground conditions or archaeological constraints.

The development shall thereafter be undertaken strictly in accord with the details approved under the provisions of this condition.

Reason: To ensure that military aircraft avoid the area and avoid the danger of collision.

Following consultation with the Ministry of Defence (MOD), in a letter dated 29th October 2021, the MOD confirmed that they had no objection to the proposed non-material amendment. The principal safeguarding concern of the MOD with respect to the development of wind turbines relates to their potential to create a physical obstruction to air traffic movements and cause interference to Air Traffic Control and Air Defence radar installations. Given that Condition 24 still required discharging prior to the erection of the turbines, the MOD was satisfied with this proposed amendment.

Section 96A of the Town and Country Planning Act 1990 (as amended) provides power for local Planning Authorities to make non-material changes to Planning permission relating to land in their area if they are

satisfied that the change is not material. The power conferred by the Act includes power to impose, remove or alter conditions.

The Welsh Government issued a Planning Guidance: Approving Non-material Amendments to an Existing Planning Permission in July 2014 which intended to assist Local Planning Authorities and applicants in dealing with such applications.

The Guidance confirms that in deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted. The guidance goes on to state that in determining whether or not a proposed change would qualify as a non-material amendment, local planning authorities may wish to consider the following tests;

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

Following assessment of the application Officers are satisfied that the amendments proposed to Condition 24 is acceptable.

### **Conclusion**

To conclude this application seeks consent to make minor amendments to the scheme approved under planning permission reference 20C102L/EIA/RE which would allow Condition 24 to be discharged prior to turbine erection as opposed to prior to commencement of development. The Ministry of Defence are satisfied with the changes proposed as part of the application for non-material amendment.

As confirmed in this report, following assessment of the application officers are satisfied that the amendments proposed are non-material in accordance with section 96A of the Town & Country Planning Act 1990.

### **Recommendation**

That the application is permitted

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.