

# Public Document Pack



CYNGOR SIR  
YNYS MÔN  
ISLE OF ANGLESEY  
COUNTY COUNCIL

Mr Dylan J. Williams  
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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, 5 HYDREF 2022 am 1.00 o'r gloch yp</b>	<b>WEDNESDAY, 5 OCTOBER 2022 at 1.00 pm</b>
<b>CYFARFOD HYBRID – YN SIAMBR Y CYNGOR AC YN RHITHIOL</b>	<b>HYBRID MEETING – VIRTUAL, AND IN THE COUNCIL CHAMBER</b>
<b>Swyddog Pwyllgor</b>	<b>Mrs Mairwen Hughes (01248) 752516 Committee Officer</b>

## AELODAU / MEMBERS

Cynghorwyr / Councillors:

Geraint Bebb  
Jeff Evans  
Neville Evans (Cadeirydd/Chair)  
Glyn Haynes (Is-gadeirydd/Vice-Chair)  
Trefor Ll Hughes MBE  
John I Jones  
R. Llewelyn Jones  
Jackie Lewis  
Dafydd Roberts  
Ken Taylor  
Alwen P Watkin  
Robin Williams  
Liz Wood

***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:-**

Geraint Bebb  
Jeff Evans  
Neville Evans (Cadeirydd/Chair)  
Glyn Haynes (Is-gadeirydd/Vice-Chair)  
Trefor Ll Hughes MBE  
John I Jones  
Robert Ll Jones  
Jackie Lewis  
Dafydd Roberts  
Ken Taylor  
Alwen P Watkin  
Robin Williams  
Liz Wood

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

#### **1 APOLOGIES**

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

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

#### **3 MINUTES\_**(Pages 1 - 12)

To submit, for confirmation, the minutes of the previous meeting of the Planning and Orders Committee held on 7 September, 2022.

#### **4 SITE VISITS\_**(Pages 13 - 14)

To present the minutes of the virtual Site Visits held on 21 September, 2022.

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## **5 PUBLIC SPEAKING**

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

None to be considered by this meeting.

## **7 APPLICATIONS ARISING\_(Pages 15 - 46)**

7.1 – FPL/2022/66 – Porth Wen, Llanbadrig  
[FPL/2022/66](#)

7.2 – S106/2022/4 - Former Primary School, Llanfachraeth  
[S106/2022/4](#)

7.3 - FPL/2021/159 – Maes Derwydd Estate, Llangefni  
[FPL/2021/159](#)

7.4 - FPL/2022/14 – Green Bank, Amlwch  
[FPL/2022/14](#)

## **8 ECONOMIC APPLICATIONS**

None to be considered by this meeting.

## **9 AFFORDABLE HOUSING APPLICATIONS**

None to be considered by this meeting.

## **10 DEPARTURE APPLICATIONS**

None to be considered by this meeting.

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

None to be considered by this meeting.

## **12 REMAINDER OF APPLICATIONS\_(Pages 47 - 106)**

12.1 – TPO/2022/16 - Land between the reservoir and 30, Ty Mawr Estate, Menai Bridge  
[TPO/2022/16](#)

12.2 – VAR/2022/48 - Madryn House, Pen Dref Street, Newborough  
[VAR/2022/48](#)

12.3 – FPL/2022/134 – Tithe Barn, Henblas, Llangristiolus  
[FPL/2022/134](#)

12.4 – DIS/2022/62 - Ysgol Y Graig, Ffordd y Coleg, Llangefni  
[DIS/2022/62](#)

12.5 – VAR/2021/65 - Llyn Alaw Windfarm, Llanbabo  
[VAR/2021/65](#)

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12.6 – HHP/2022/46 - Tan Yr Allt Bach, Llanddona  
[HHP/2022/46](#)

12.7 – HHP/2022/219 – 7 Tre Gof, Llanddaniel  
[HHP/2022/219](#)

12.8 – HHP/2022/171 - Awel Y Bryn, Trigfa, Moelfre  
[HHP/2022/171](#)

12.9 – FPL/2022/216 – Glanllyn, Llanedwen  
[FPL/2022/216](#)

12.10 – FPL/2022/198 – Anglesey County Council Offices, Llangefni  
[FPL/2022/198](#)

### **13 OTHER MATTERS**

None to be considered by this meeting.

## PLANNING AND ORDERS COMMITTEE

### Minutes of the hybrid meeting held on 7 September, 2022

- PRESENT:** Councillor Neville Evans (Chair)  
Councillor Glyn Haynes (Vice-Chair)
- Councillors Geraint Bebb, Jeff Evans, Trefor Lloyd Hughes, MBE, John I. Jones, Jackie Lewis, Dafydd Roberts, Ken Taylor, Robin Williams
- Local Members: Councillors Aled M. Jones (for applications 12.2 and 12.5), Alun Roberts (for application 7.1), Nicola Roberts (Portfolio Member for Planning) (for application 12.1)
- IN ATTENDANCE:** Development Management Manager (RLJ)  
Planning, Built and Natural Environment Manager (JIW)  
Senior Planning Officer (JBR)  
Group Engineer (Development Control & Traffic Management (Highways) (AR)  
Planning Officers  
Legal Services Manager (RJ)  
Committee Officer (ATH)
- APOLOGIES:** None received
- ALSO PRESENT:** Senior Planning Officer (SOH), Planning Officer (HR), Mr John R. Jones, Sharon Warnes (Standards Committee) (observers)
- 

#### 1. APOLOGIES

No apology for absence was received.

#### 2. DECLARATION OF INTEREST

No declaration of interest was made.

#### 3. MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting of the Planning and Orders Committee held on 27 July, 2022 were presented and were confirmed as correct.

#### 4. SITE VISITS

The minutes of the virtual site visit held on 17 August, 2022 were presented and were confirmed as correct.

#### 5. PUBLIC SPEAKING

There was a Public Speaker in respect of application 12.8

#### 6. APPLICATIONS THAT WILL BE DEFERRED

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

## 7. APPLICATIONS ARISING

### 7.1 FPL/2022/51 – Full application for the erection of a 6 bedroom ancillary accommodation building together with associated development at Plas Rhianfa, Glyngarth, Menai Bridge

The application was reported to the Planning and Orders at the request of the Local Members.

The Development Management Manager reported that the proposed building would be located on the site of the existing disused tennis court within the ornamental garden grounds of the existing Plas Rhianfa hotel. The application was originally submitted for a two storey, 8 bedroom ancillary accommodation building but has been amended on account of concerns raised by consultees regarding the design, scale and impact of the proposal on the character and appearance of the adjacent listed building and the locality. The revised proposal for a single storey 6 bedroom building is now clearly subservient in terms of height and scale. Other amendments have also been made which address the Local Planning Authority's concerns about the initial proposed gable end of the extension which is the principal view from the gardens which was considered to be stark in its appearance and incongruous with the Victorian ornamental garden grounds. With regard to consultees, CADW is satisfied with the amended proposal and the Highways Authority is likewise satisfied with the proposed parking arrangements which provide 65 spaces on site for 36 bedrooms which is almost double the number required by parking standards. The parking provision is also considered adequate taking into consideration staff and other parking needs. The applicant will however be required to submit a Construction Traffic Management Plan to mitigate any impacts on the highway during the construction phase and to ensure highway safety. While concerns were also raised about potential light spill, given the subservient nature of the proposed building, its being attached to a three storey building and surrounded by trees, no issues have been raised on this basis by Natural Resources Wales nor the Authority's Landscape Advisor. The recommendation is therefore to approve the application.

Councillor Alun Roberts, a Local Member said that he was pleased that concerns raised by himself in the virtual site visit and by local residents with regard to traffic, light pollution, tree preservation and the original larger scale proposal have been addressed. He welcomed the fact that the traffic situation would be conditioned saying that the highway by the application site is busy and that accidents have occurred especially where two roads from Llandegfan join opposite the Plas Rhianfa Hotel. He said that he still had some concerns about on road parking in the vicinity of the Hotel particularly in terms of its affecting visibility but hoped that this would be mitigated by condition on consent.

The Committee sought further clarification of the traffic situation in and around the application site to which the Highways Group Engineer responded by confirming that Lon y Mawr and Lon Bryn Teg converge by the site, the one being a registered highway and the other a lane that is not available for use as a public highway. While a traffic mirror helps motorists exiting existing accesses, it is considered that it is the road layout rather than parking that affects visibility in this area. The Officer confirmed that although he did not have accident statistics for the highway to hand, the area by the Hotel is not considered an accident hotspot.

Councillor Robin Williams proposed, seconded by Councillor John I. 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.**

## **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 FPL/2022/93 – Full application for the erection of a new dwelling which is now partially retrospective (single storey side extension and front porch), detached garage, new vehicular access and extension to cemetery at Cysgod y Plas, Llanddeusant**

The application was reported to the Planning and Orders Committee as the proposal is contrary to policies of the Joint Local Development Plan which the Local Planning Authority is minded to approve. The applicant is also related to a “relevant officer” as defined within paragraph 4.6.10.2 of the Council’s Constitution. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

The Development Management Manager reported that the application is for the erection of a new residential property to the north-east of Llanddeusant. The development for which the application is made is at an advanced stage of construction. He referred to the planning history of the site specifically previous permissions which were of particular relevance which included outline planning permission 47C153 for the erection of a dwelling with full details of the vehicular access together with the extension of the existing cemetery in April, 2017. This was followed by application RM/2020/1 for the remaining reserved matters submitted and approved in March, 2020. Application VAR/2020/48 to vary condition (1) of RM/2020/1 was submitted and approved later in 2020; this amended the siting of the proposed development to the east of the previously approved location. In November, 2020 application FPL/2020/225 was submitted for the erection of a dwelling and garage together with the construction of a vehicular access on land at Cysgod y Plas, Llanddeusant. As no further information to validate the application was provided by the applicant, an enforcement inquiry was opened and investigations showed that works had commenced on site. Following an independent survey of the site it was found that the development had been built within the application boundary of the extant permission and that the siting of the dwelling was in accordance with the details approved under permission VAR/2020/48. Although the development proposed and in construction included a side extension, front porch, garage and access it otherwise accords with the originally approved plans. Consequently it is considered that the previous permissions have been implemented and constitute a valid fall-back position.

However, in the time since the original approval, policies have changed with the adoption of the Joint Local Development Plan (JLDP). As the proposal is located outside of the development boundary as identified within the JLDP and does not meet with the Plan’s policies, it has to be considered against the fall-back position, namely whether there is a likelihood of the existing permission being implemented and whether the changes/additions to the permission are an improvement to the scheme previously approved. The Officer confirmed that the relevant permissions referred to previously have been implemented with the dwelling at an advanced stage of construction. Further, the proposed changes/additions in the form of a front porch, side extension, detached garage and amended access are considered acceptable and an improvement on the scheme previously approved. These changes are not considered to impact on the character and appearance of the area or on the

amenities of neighbouring properties. It is therefore recommended that the application be approved.

Councillor Ken Taylor proposed, seconded by Councillor Liz Wood, 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.**

### **11.2 FPL/2022/151 – Full application for change of use of agricultural land to form part of the residential curtilage at Rhyd Goch, Llanfaethlu**

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

The Development Management Manager reported that that the applicant states that the application site has historically been used as part of the residential curtilage of the property and that an intended application for a Certificate of Lawfulness for the use of the land as a residential curtilage was only prevented by a recent agricultural use of the land. The applicant has also confirmed that his elderly mother currently resides at Rhyd Goch and that the reason for extending the curtilage is to allow a static caravan to be placed on the land. The static caravan will be used incidental to the dwelling and will be occupied by the applicant's son in order to be on hand to assist with the care of his grandmother. The use of the curtilage and static caravan incidental to the main dwelling will be conditioned to ensure that no curtilage or residential unit are created that are separate to the use of the curtilage and static caravan as incidental to the current use of Rhyd Goch. Although the proposal does not include the siting of a static caravan, the siting of a static caravan incidental to the use of the residential dwelling is allowed under permitted development rights. However, to ensure that no other developments are carried out on the site a condition will be imposed on consent removing any permitted development rights with regard to any building or enclosure. Due to its location, it is not considered the proposal will have any detrimental impact on the amenities of the adjoining property or the surrounding locality making it compliant with Policy PCYFF 2.

The original scheme submitted as part of the current application was for the change of use of the whole field to form a part of the extended residential curtilage of the property. As this was considered unacceptable due to the scale of the extended curtilage the scheme was reduced by 50% and now involves only half of the neighbouring field. The occupiers of neighbouring properties have been re-consulted on the amended scheme with the closing date for the receipt of representations being 8 September, 2022. The Officer's recommendation is that the application be approved.

Councillor Geraint Bebb proposed, seconded by Councillor Liz Wood 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 delegate authority to the Officers to issue the decision notice following the completion of the consultation period on 8 September, 2022.**

### **11.3 HHP/2022/172 – Full application for demolishing a garage to erect a new garage in its place at Bryn Parys, Amlwch**

The application was reported to the Planning and Orders Committee as it is made by an Elected Member. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Council's Constitution.

The Development Management Manager reported that the proposal is considered an improvement on the existing garden garage which is currently in a state of disrepair with high quality durable materials chosen for the new garage. As the nearest property is at 120m distance, it is not considered the proposed development will have any adverse impact on the amenity of the neighbourhood; neither is the proposal considered to be an overdevelopment of the site representing only a slight increase in footprint to that of the existing garage. Given the context of other buildings and existing uses as well as the scale of the proposed garage it is not thought that it will affect the special landscape area of Mynydd Parys; its design and setting are also considered appropriate for the site. The recommendation is therefore one of approval.

In response to a question by the Committee, the Officer confirmed that the public footpath which crosses the curtilage of the property will not be adversely affected by the erection of the new garage.

Councillor Jackie Lewis proposed, seconded by Councillor Robert Ll. 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. REMAINDER OF APPLICATIONS**

### **12.1 FPL/2021/59 – Full application for the erection of 50 residential dwellings, 12 residential apartments, construction of a new vehicular access and road, construction of a foul water pumping station together with soft and hard landscaping on land adjacent to Maes Derwydd Estate, Llangefni**

The application was presented to the Planning and Orders Committee at the request of both Local Members due to local concerns.

Councillors Geraint Bebb and Nicola Roberts as Local Members requested that the application site be visited due to a number of local concerns including access, drainage and infrastructure believing that the Committee would gain a better appreciation of those concerns from visiting the site. In doing so Councillor Nicola Roberts stated that she wished to declare that the applicant's daughter in law had stood against her in the Cefni ward in the local election in May, 2022 and that she had been advised that that did not affect her position.

Councillor Ken Taylor proposed, seconded by Councillor John I. Jones that a site visit be undertaken.

**It was resolved to conduct a virtual site visit in accordance with the Local Members' request for the reasons given.**

### **12.2 FPL/2022/14 – Full application for the demolition of the existing dwelling and garage and the erection of a new dwelling together with alterations to the vehicular access at Green Bank, Bull Bay Road, Amlwch**

The application was reported to the Planning and Orders Committee having been called in by a Local Member due to concerns regarding design and over-development of the site.

Councillor Aled M. Jones, a Local Member requested that the application site be visited because of concerns regarding the design of the proposal and its potential impact on nearby buildings.

Councillor Robert Ll. Jones proposed, seconded by Councillor Jackie Lewis that a site visit be undertaken.

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

### **12.3 FPL/2021/201/EIA – Full application for the refurbishment/repair of the breakwater structure together with formation of a temporary concrete batching plant for the fabrication, curing and storage of concrete armour units at Breakwater/Salt Island, Holyhead**

The application was reported to the Planning and Orders Committee as the proposal constitutes EIA development.

The Planning, Built and Natural Environment Manager reported that the application involves repairing the Breakwater structure, a designated Grade II\* listed building and includes the placement of concrete tetrapods to the full length of the Breakwater's seaward side and reinforcing the Z-shaped concrete units to prevent displacement; rock replacement to widen the existing rubble mound to the Breakwater roundhead together with the installation of tetrapod and Z-shaped blocks, and restoration of the rubble mound by the attachment of an articulated concrete mattress (ACBM) to sections of the leeward side together with installing a rock revetment where conditions prohibit the placing of the ACBM. The work is necessary to address wave damage over time. The key planning issues relate to the proposal's both long and short-term and of varying degrees that will affect several aspects of the locality as set out in the report; these include the impact on the historical assets and the historical environment in general; marine and terrestrial ecology; significant visual impacts; potential economic impacts and potential impacts to users of the Coastal Path. One letter of representation has been received objecting to the proximity of the batching plant to local homes and the potential noise, dust and odours that would emanate therefrom.

The consultation response of the Council's Heritage Advisor confirms that the proposals would initially generate visual impacts both to views of the Grade II\* listed Breakwater and Grade II listed lighthouse and to the setting of the nearby listed buildings in addition to views in and out of conservation areas. The visual impacts relating to the Breakwater would diminish over time due to weathering and the predicted displacement of the tetrapods; similarly with regard to the visual impacts of the batching plant which given the temporary nature of the installation, are expected to be short-lived having no lasting adverse effect on setting.

The application site lies adjacent to a Marine SAC and SPA. The Environmental Statement which supports the planning application concludes that although loss of habitat is predicted, this will be temporary in nature and is considered to be of minor adverse significance. This conclusion is supported by Natural Resources Wales in its consultation response which confirms that the proposal is not likely to have lasting significant impact on the special designation sites. However, NRW has raised concerns regarding the potential spread of invasive non-native species and advises the imposition of an appropriate condition to minimise the risk of such a spread. Mitigation measures are also proposed in relation to the adjoining Chwarel Morglawdd local wildlife site.

Landscape and visual impact will occur but will reduce over time; these have to be balanced against the damage and potential demise of the Breakwater structure if no remedial work is undertaken. Noise impact will be negligible requiring no mitigation as is confirmed by the Council's Public Protection Service. With regard to air quality, the Council's Public Protection Service advises that if best practice dust minimisation and suppression techniques are utilised. The residual impacts can be classified as not significant from the perspective of

construction phase dust and particulate matter and construction phase road traffic and vessel emissions.

The Officer referred to traffic impacts and advised that while the intention is to transport the materials for the tetrapods by sea directly to the port, should it be necessary to use the highway then the delivery of concrete would be undertaken from an existing batching plant at Cae'r Glaw Chwarel in Gwalchmai via the A55 to a designated area within the Port. The Highways Authority have raised no objections but Welsh Government's Highways Department advise the imposition of a condition requiring the submission and agreement with the Local Planning Authority of a Construction Management Plan prior to the commencement of construction activities should permission be granted.

The Officer concluded by saying that the importance of Holyhead Port is considered vital to the economy of Anglesey and North Wales; consequently, the refurbishment of the Breakwater structure is considered essential in the context of the Port's viability. The proposed development is considered to offer a long-term sustainable solution to the preservation of the listed structure to a point where it remains effective to serve its intended purpose. Having taken account of all the material considerations as detailed within the report, it is recommended that the application be permitted.

The Committee in acknowledging the necessity of the proposed repair works to the Breakwater both in terms of safeguarding the integrity of the structure and in maintaining the viability of the Port expressed regret that the structure had been allowed to deteriorate to such a degree. Members supported the proposal as essential given the importance of the Port to the economic prosperity of the Island and the wider region. Councillor Robin Williams proposed, seconded by Councillor Jackie Lewis that the application be approved.

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

#### **12.4 S106/2022/4 – Application for the amendments of Section 106 Agreement in relation to affordable housing of planning permission 27C23A on land adjacent to Former Llanfachraeth Primary School, Llanfachraeth**

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

The Development Management Manager reported that the application site benefits from an extant permission under reference 27C23A which was made for 7 dwellings. This permission is currently being implemented as detailed in the report. Application 27C23A included a S106 legal agreement which secured the provision of 2 affordable dwellings; this application seeks to reduce the number of affordable dwellings to 1 unit. In terms of the current Development Plan Llanfachraeth is noted as part of the Rural west housing price area, which under the provisions of policy TAI 15 notes that an affordability of 20% is viable on developments of 2 or more dwellings in this area which in the case of the development in question, would equate to 1 affordable dwelling. The provision of 1 affordable unit would therefore comply with the requirements of the Joint Local Development Plan.

Where a developer seeks to renegotiate the level or type of affordable housing previously agreed under the original planning application, Paragraph 7.7.2 of the Affordable Housing SPG states that the developer must demonstrate how the circumstances in relation to economic viability have changed by submitting an updated financial viability appraisal. In this case the developer has submitted a viability assessment and Red Book Valuation which seeks to amend the current agreement with a range of options put forward. The principal reasons given by the developer for seeking to reduce the affordable housing provision is the

significant rise in construction costs over the past two years and that the legal agreement no longer aligns with the current development plan adopted. Having liaised with the Joint Planning Policy Unit and having assessed the current situation regarding viability and the merits of the scheme against Policy TAI 50, it is not considered that there are valid policy or material grounds for refusing the proposed amendment to the Section 106 agreement and it is therefore recommended that the application be permitted.

Councillor Jackie Lewis speaking as a Local Member expressed her disappointment in the application citing the pressing need for affordable housing in Llanfachraeth and other areas with over 800 on the Council's housing waiting list. She questioned a system which allows a developer to seek to modify an affordable housing contribution years after the original agreement and commitment have been made. She also questioned why developer profit is a matter for the Committee. Councillor Jeff Evans was likewise dissatisfied with the proposal and said that affordable housing allocations are there for a purpose for people who cannot afford the cost of open market housing and are even more important in the current economic situation. He highlighted that the developer had had plenty of time to implement the permission and suggested that profitability as much as viability is a factor in such applications.

The Development Management Manager in acknowledging the concerns expressed advised that were the application to be made under current policy the affordable housing requirement would be 20% which in the case of the development in question amounts to 1 unit. It is therefore considered reasonable to allow the developer to reduce the affordable housing provision to 20% in line with current policy which would make it comparable with the requirements which applications submitted at present are asked to satisfy. The developer has submitted a Lawful Development Certificate to confirm the lawfulness of the development which safeguards the permission and as a still live permission which is being implemented (as the report details), the developer can seek to change it. It is considered important that an element of affordability is delivered as part of the permission; should the developer decide that the development is not viable in current market conditions without reducing the affordable housing provision then the one affordable housing unit could also be lost the thinking being that one affordable dwelling is better than none. The proposed reduction from 2 units to 1 unit still represents a policy compliant affordable housing provision for the development under current policy. In response to further questions the Officer clarified that when the original permission for the development was granted under the previous Local Development Plan the number of affordable units was negotiated rather than specified as a percentage, and 2 affordable units were agreed at the time. The Officer also confirmed that a Red Book Valuation is an independent, professionally undertaken valuation.

The Legal Service Manager responding to a question about the length of time the development had remained uncompleted since the original permission was granted clarified that a development is required to begin within five years of the date of consent; the Committee was also advised that there are no time limits for the completion of a development once it has commenced.

Councillor Ken Taylor proposed that the application be approved in line with the Officer's recommendation and was seconded by Councillor Geraint Bebb. Councillor Jeff Evans proposed that the application be refused contrary to the Officer's recommendation and was seconded by Councillor Robert Ll. Jones.

In the subsequent vote, the proposal to refuse the application contrary to the Officer's recommendation was carried by six votes to four.

**It was resolved to refuse the application contrary to the Officer's recommendation on the basis that the Committee was of the view that the economic case for reducing the**

**affordable housing provision is outweighed by the economic need for affordable housing.**

***In accordance with the requirements of the Constitution the application was automatically deferred to the next meeting to allow the Officers to respond to the reason given for refusing the application***

**12.5 FPL/2022/66 – Full application for the change of use of land into a car parking area at Porth Wen, Llanbadrig**

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

Councillor Aled M. Jones, a Local Member requested that the application site be visited because he wished the Committee to see the site for itself and how the proposal could help protect the local environment from traffic pressures in the locality.

Councillor Liz Wood proposed, seconded by Councillor Jeff Evans that a site visit be undertaken.

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

**12.6 FPL/2022/23 – Full application for the erection of 2 roofs over the existing yards at Bodhenlli, Cerrigceinwen, Bodorgan**

The application was reported to the Planning and Orders Committee as it's made on land owned by the County Council.

The Development Management Manager reported that Bodhenlli is a working dairy farm, located down a private track in the open countryside. The proposed scheme is for the erection of two roofs over the existing handling and feeding yards. The application's main issues relate to siting and design and its potential impact on adjacent residential properties. It is the Officer's view that the site is located far enough away from neighbouring properties so as to give rise to no greater impacts upon their privacy and amenities than at present with the nearest residential properties situated over 300m away to the south and south-east. Neither is it considered that the visual impact of the proposed yard coverings will be any greater than that of the current buildings as they will be seen in the context of the existing agricultural buildings on site. In order to comply with the Environment Wales Act (2016) all planning applications have to show overall biodiversity enhancement. With regard to the application, a bird box and bat box have been added to the proposed yard coverings and a new hedge is to be planted adjacent to the handling yard. These are considered to provide overall biodiversity enhancement and comply with the Environment Wales Act as well as Policy PCYFF 4. The recommendation is therefore to approve the application.

Councillor Robin Williams proposed, seconded by Councillor John I. 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.**

**12.7 VAR/2022/44 – Application under Section 73 for the variation of condition (33) (travel plan) and condition (35) (highways and drainage) of outline planning permission 34C304K/1/EIA/ECON (Hybrid application for engineering centre, car park, children's play area and outline application for residential dwellings, hotel, food and**

**beverage and car park) so as to approve the details after work on site at Coleg Menai, Llangefni**

The application was reported to the Planning and Orders Committee as it relates to the variation of conditions of consent of an application which was accompanied by an Environmental Impact Assessment. It was therefore referred to the Committee for determination in accordance with paragraph 3.5.3.10 of the Council's Constitution.

The Planning Development Manager reported that Condition (33) stipulated that development should not take place until a Travel Plan had been submitted to and approved in writing by the Local Planning Authority to encourage travel to and from the site by more sustainable means than single occupancy cars. While development did commence without firstly discharging the condition, a Travel Plan has been received with the Section 73 application which the Highways Authority considers acceptable. It is therefore considered that the information provided satisfies the requirement of Condition (33) for Plot 2 and Plot 3 only. Condition (35) stipulated that no development should commence until measures are in place to secure the future maintenance of the roads and drainage in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Notwithstanding the applicants are in breach of this condition with work having commenced on site, details of the future maintenance of the road and drainage have been submitted with the planning application and the Highways Authority has confirmed that the information presented is sufficient to discharge the requirement of Condition (35) for Plot 2 and Plot 3 only. It is therefore recommended that the application be approved.

Councillor Geraint Bebb proposed, seconded by Councillor Ken Taylor 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.**

**12.8 FPL/2022/124 – Full application for the demolition of the existing self-catered guesthouse and the erection of a replacement self-catered guesthouse together with associated development at Bryn Maelog, Ffordd Belan, Rhosneigr**

The application was reported to the Planning and Orders Committee at the request of a Local Member who wished to reiterate the concerns of the Community Council regarding traffic and general disturbance.

*Public Speaker*

Mr James Regan, the applicant spoke in support of the proposal saying that his family had run Bryn Maelog as self-catered accommodation since 2004 and have a certificate of lawfulness supporting this use class. Permission to extend the property was obtained in 2020 with the plan being to utilise this permission to renovate the existing building. However, a structural survey showed that it would be completely uneconomical to renovate or extend Bryn Maelog in its current state with part of the building found to have no foundations at all. With this in mind it is considered that it would be more sustainable to re-build the property using modern construction methods and meeting up to date building regulations. Addressing some of the areas of objection raised Mr Regan confirmed that the current self-catering permission for up to 24 guests has been established for many years as per the certificate of lawfulness which was gained via a separate application. In the 24 years that the property has been run as a holiday let no noise complaints have been made, and no party groups are allowed with the property being primarily for families. The proposed design of the new building has deliberately reduced the amount of existing overlooking as well as keeping the new property within the existing footprint and ridge height; a new landscaping design should

make the streetscape more attractive. With regard to access, moving the existing entrance to the middle of the frontage will improve safety by reducing the current blind spot when pulling out onto Ffordd Belan. Ten on-site parking spaces will be provided thereby eliminating the need to park on the street. Mr Regan concluded by saying that he and his family were excited about the project and hoped to add something different to the mix of self-catering properties in Rhosneigr.

The Development Management Manager reported that although the principle of the use of the site is not considered contestable because of the recently granted lawful use certificate which permits the property to operate as a guest house for groups up to 24 people, consideration has to be given to the proposal to ensure that it satisfies the requirements of the certificate for C1 use class. A condition to restrict the use to C1 use only will be imposed on consent if approved. The application was accompanied by a structural survey undertaken by a qualified structural engineer the findings of which were clear in recommending that due to numerous defects in the existing structure the best course of action was to demolish it and erect a new structure in lieu. As such, it is considered that the proposition to demolish the existing structure has been reasonably justified and thus conforms to Policy PS5.

With regard to design and appearance, as the existing building on site is in a dilapidated state, the works proposed represent a drastic betterment to the appearance of the site within the street scene and will have a positive effect upon the character of the area. The proposed building will be 3 storeys in height and will stand on the same albeit larger footprint of the existing building which will minimise its impact. Although the scheme does appear large in scale from the elevation drawings, it is only 0.5m higher than the existing building and in terms of proposed form and appearance it is not considered that the scheme would appear out of character for the area or settlement. Due to the condition of the existing building and its existing lawful use, it is not considered that there are grounds for refusal on the basis of design and appearance. Given the building and its current use, neither is it considered that the proposal will give rise to any greater impacts on residential amenity than at present. Mitigation measures in the form of obscure glazing are proposed and although the scheme does not conform to separation distances as set out in the SPG, modifications to the scheme in terms of smaller windows offer a betterment as regards overlooking. Notwithstanding it is acknowledged that the scheme will generate a level of traffic, the use is an existing use which has been established via a certificate of lawful use application. As a result the use could occur at present without planning permission with occupants using the substandard access or street parking. The scheme offers a significant improvement to the parking and access arrangements and no objections have been raised by the Highways Authority. The application is therefore recommended for approval.

Councillor Neville Evans speaking as a Local Member said that the application had been called in because of concerns in relation to the proposal's design and appearance and its potential impact on residential amenity. The primary concern had been the scheme's effect on traffic in the area the application site being on a road that is currently the subject of a consultation on a one way system with traffic and parking in the area being issues especially in summer time. While there were also local concerns about noise disturbance he was pleased to hear that no complaints have been made while the property has been in use as a holiday let.

Councillor Ken Taylor proposed that the application be approved in accordance with the Officer's recommendation saying that he could not see any valid planning reasons for refusal. Councillor Jackie Lewis seconded the proposal.

**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**

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

**Councillor Neville Evans**  
**Chair**

## PLANNING SITE VISITS

### Minutes of the virtual meeting held on 21 September, 2022

- PRESENT:** Councillor Glyn Haynes (Vice-Chair) (In the Chair)
- Councillors Geraint Bebb, Jeff Evans, Trefor Lloyd Hughes, MBE, John I. Jones, R. Llewelyn Jones, Dafydd Roberts, Ken Taylor, Liz Wood.
- IN ATTENDANCE:** Development Management Manager (RLIJ)  
Planning Team Leader (GJ)  
Senior Planning Officer (JR)  
Group Engineer (Development Control & Traffic Management) (Highways) (AR)  
Committee Officer (ATH)
- APOLOGIES:** Councillors Neville Evans, Robin Williams
- ALSO PRESENT:** Local Members: Councillors Nicola Roberts (for application 1)  
Aled M. Jones, Derek Owen (for applications 2 and 3)
- 

**1. FPL/2021/159 – Full application for the erection of 50 residential dwellings, 12 residential apartments, construction of a new vehicular access and road, construction of a foul water pumping station together with soft and hard landscaping on land adjacent to Maes Derwydd Estate, Llangefni**

The Planning Team Leader outlined the proposal and showed a video of the access to and from the application site onto the highway including the visibility splay. Members were then shown the view from the centre of the application site and the Ty Hen and Maes Derwydd estates were highlighted as was Ysgol Gyfun Llangefni. Additionally a short video showing a stream running from the rear of the school alongside the application site was also presented.

Councillor Nicola Roberts as a Local Member drew attention to traffic congestion issues on the road leading to the site especially during school drop-off and pick-up times which effectively reduced the road to a single lane. She referred to local concerns regarding the proposal especially in relation to parking and traffic issues, access, ecological impact and the loss of green space.

**2. FPL/2022/14 – Full application for the demolition of the existing dwelling and garage and erection of new dwelling together with alterations to the vehicular access at Green Bank, Bull Bay Road, Amlwch**

The Planning Team Leader outlined the proposal and a video showing the application site and existing dwelling within their setting from a viewpoint on the A5025 road was presented. A second video showed the view from the rear of the property towards the front including boundary treatments. The Officer clarified that a window and door at the gable end of the existing dwelling had obscure glazing. A third video provided views from the rear of the application site towards the A5025.

Responding to the Local Member, Councillor Aled M. Jones who explained that the site visit had been requested because of concerns regarding the design and scale of the proposal which he believed to be out of character with its surroundings, the Officer showed Members the site plans illustrating the size of the proposed replacement dwelling compared to the existing dwelling on site including the new dwelling's proposed front and street elevations.

In response to questions, the Officer confirmed that the proposal was for an open market dwelling.

### **3. FPL/2022/66 – Full application for the change of use of land into car parking area at Porth Wen, Llanbadrig**

The Senior Planning Officer showed an aerial view of the application site which set the site in its geographical context. A video showing the lane and access to the site via an agricultural gateway was presented. The field on which the proposed car parking area was to be sited was shown from an elevated position and from a position which showed the site in its entirety including boundaries. The Officer also presented photographs showing the layby and lane.

Councillor Aled M. Jones, a Local Member referred to traffic and parking issues during the summer months as a result of visitors to the area with parked cars in the layby and on the lane along the application site making it difficult for emergency and local residents' vehicles to pass through. He thought the proposal would alleviate these problems as well as facilitating access to the Coastal Path and other sites of local interest. Councillor Derek Owen, also a Local Member made comments to the same effect.

In response to questions, the Officer confirmed that the site is flanked by two public footpaths which do not cross the site. The site plans were shown which highlighted the main parking area that would be covered in grass protection mesh with the remainder intended for dry weather parking.

**Councillor Glyn Haynes  
(Chair)**

**Planning Committee:** 05/10/2022

**7.1**

**Application Reference:** FPL/2022/66

**Applicant:** Mr. Dafydd Owen

**Description:** Full application for the change of use of land into a car parking area at

**Site Address:** Porth Wen, Llanbadrig



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

**Recommendation:** Refuse

### **Reason for Reporting to Committee**

At the request of the Local Member - Councillor Aled Morris Jones.

At the meeting held on the 7th September 2022, members resolved to visit the site. The virtual site visit took place on the 21st September 2022 and members will now be familiar with the site.

### **Proposal and Site**

The application is made for the change of use of land into a car parking area at Porth Wen, Llanbadrig.

The proposed car park covers an area of approximately 0.5 hectares (1.2 acres) and is located along a single track country lane some 0.7km from the main A5025 highway. The site is located in the open countryside in a designated Area of Outstanding Natural Beauty roughly half way between the settlements of Cemaes and Bull Bay which are each approx. 3.5km away.

## Key Issues

The key issues are whether the proposal is justified and complies with relevant local and national planning policies and whether it is acceptable in terms of its location and impacts upon the designated Area of Outstanding Natural Beauty.

## Policies

### Joint Local Development Plan

Strategic Policy PS 14: The Visitor Economy  
 Strategic Policy PS 4: Sustainable Transport, Development and Accessibility  
 Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment  
 Strategic Policy PS 5: Sustainable Development  
 Policy TRA 4: Managing Transport Impacts  
 Policy TRA 2: Parking Standards  
 Policy PCYFF 4: Design and Landscaping  
 Policy PCYFF 3: Design and Place Shaping  
 Policy PCYFF 1: Development Boundaries  
 Policy PCYFF 2: Development Criteria  
 Policy TWR 1: Visitor Attractions and Facilities  
 Policy AMG 1: Area of Outstanding Natural Beauty Management Plans  
 Policy AMG 5: Local Biodiversity Conservation

Planning Policy Wales (Edition 11, February 2021)

Supplementary Planning Guidance - Tourism Facilities and Accommodation - March 2021

## Response to Consultation and Publicity

Consultee	Response
Priffyrdd a Trafnidiaeth / Highways and Transportation	Dim gwrthwynebiad.
Ymgynghorydd Tirwedd / Landscape Advisor	Comments in relation to impacts of the development on the landscape and designated AONB.
Gritten Ecology	Ecological Survey conducted indicates that the site has limited ecological interest and the biodiversity enhancements proposed are appropriate for the proposal.
Ymgynghorydd Treftadaeth / Heritage Advisor	No comments from a Built Heritage perspective.
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objection.
Iechyd yr Amgylchedd / Environmental Health	Comments in relation to relevant environmental and health and safety considerations.
Swyddog Llwybrau Troed / Footpaths Officer	If footpaths are to be fenced, a minimum width of 2.5m must be provided.

Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Comments and advice in relation to the relevant policy framework.
Uned Datblygu Economaidd / Economic Development Unit	Concern regarding the impact on the AONB, that the proposal would encourage and increase traffic to the site, impact on peace and tranquility, dark skies and wildlife, main attraction is the privately owned Porth Wen brickworks, location would not have same appeal if the owner closed off access.
Cynghorydd Richard Griffiths	No response at the time of writing the report.
Cynghorydd Aled Morris Jones	Request that the application be referred to the Planning and Orders Committee for determination.
Cynghorydd Richard Owain Jones	No response at the time of writing the report.
Llanbadrig Community Council	Support.
GCAG / GAPS	No comments.
Cadw Scheduled Monuments	No response at the time of writing the report.
Cynghorydd Derek Owen	Support.
Cynghorydd Liz Wood	No response at the time of writing the report.

The application was afforded statutory publicity. This was by the posting of personal notification letter to the occupiers of the neighbouring properties, the posting of a site notice near the site and and advertisement in the local press. The latest date for the receipt of representations was the 13/06/2022.

At the time of writing the report one letter of objection had been received, the contents of which is summarised below:

- The proposed development will go some way to resolving the car parking issues at this site, however this new facility may exacerbate the other problems identified in the application and only result in making matters worse than they are now and grow into something wholly unmanageable in the future.
- The new car park will inevitably increase the numbers of cars using the single track lane, which as described in the application is already struggling with the current traffic.
- The increased visitor numbers will then only increase the behavioural issues referred to in the application.
- Visitors looking for free parking will still park in the passing places and with increased traffic, the road will then become frequently impassable for residents, farmers and visitors alike.
- Last summer, during the trial period, cars & increasingly vans, spread out from the proposed site across the field and parked wherever they chose. A number of these vans then stayed overnight.
- the dangers of creating a new facility is that it will inevitably encourage more visitors to the now closed Brickworks
- Signage to reduce parking in the passing places with occasional enforcement and the installation of some posts by the verges closest to the Brickworks, would also go a long way to resolving the current parking issues.
- Concern that the facility would be used for overnight stays for which there are no facilities and the possible future expansion of the facility.

### Relevant Planning History

None.

## Main Planning Considerations

Policy PCYFF1 of the JLDP states that outside development boundaries development will be resisted unless it is in accordance with specific policies in this Plan or national planning policies or that the proposal demonstrates that its location in the countryside is essential.

National Planning Policy guidance recognises the importance of tourism development to the rural economy but also recognises that development should be located in suitable locations. It recognises that new developments in the open countryside away from existing settlements must continue to be strictly controlled with paragraph 3.60 of Planning Policy Wales (PPW, 11th edition, Feb 2021) stating that development in the countryside should be located within and adjoining those settlements where it can be best be accommodated in terms of infrastructure, access and habitat and landscape conservation and in rural areas the majority of new development should be located in those settlements which have relatively good accessibility by non-car modes. All new development should be of a scale and design that respects the character of the surrounding area.

The principal policy in dealing with this proposal is TWR 1: Visitor Attractions and Facilities which states that:

*“Proposals to develop new visitor attractions and facilities or to improve and extend the standard of existing facilities will be encouraged to locate to sites within the development boundary.*

*Where there are no suitable opportunities within the development boundary, only proposals that involve the following will be granted:*

- 1. The re-use of an existing building(s) or a suitable previously used site; or*
- 2. The re-use of an existing building(s) or a site closely related to other existing buildings that forms part of an existing tourist facility; or*
- 3. An activity restricted to a specific location due to its appropriate use of a historical or natural resource or its proximity to the attraction which it relates.*

*All proposals will be required to comply with all the following criteria:*

- i. The scale, type and character of the proposed development is appropriate for its urban/rural setting;*
- ii. The proposed development is of high quality in terms of design, layout and appearance;*
- iii. The proposed development will support and extend the range of facilities within the Plan area;*
- iv. The proposal is supported by evidence to demonstrate that there would be local employment opportunities.*

*Where appropriate, the development can be accessed by various modes of transport, especially sustainable modes of transport, such as walking, cycling and public transport. “*

This policy aims to encourage the development of high quality sustainable tourism attractions and facilities in the right place. The natural and built environments are key factors in attracting tourists into the Plan area, however new tourism developments can have a negative impact upon the local environment and communities if they are insensitively developed or inappropriately located.

Further guidance on the location of development can be found in section 8.1 of the Tourism Facilities and Accommodation SPG (March 2021) with paragraph 8.1.2 stating that:

*“8.1.2 The policy stipulates that where there are no opportunities are available for development within the development boundary the Authority would consider other locations as follows:*

- i. ....*
- ii. ....*

iii. *A site closely related to other existing buildings that forms part of an existing tourist facility..... On sites outside existing settlements, the Council's will permit tourism developments only in exceptional circumstances where the applicant has been able to demonstrate specific locational requirements and economic benefits which would justify allowing the proposal.*

iv. *An activity restricted to a specific location due to its appropriate use of an existing historical or natural resource or its proximity to the attraction which it relates – the Plan recognises that some new tourism attractions and facilities will have specific locational requirements such as a lake or woodland. The criteria used to assess its proximity to the attraction it relates includes the degree of separation and physical distance from the attraction. The landscape and visual impact of the proposed development and the ability to integrate the development into the landscape and townscape will also be important considerations in assessing the proposed development's suitability."*

The reasons for the application are set out in Section 4 of the Planning Statement submitted with the application which states that *'The two public footpaths referred to above (located either side of the proposed car park) are used as popular access routes by walkers, ramblers and others to Port Wen Bay, the cliff top Ynys Môn Coastal Footpath, the North Ynys Môn Heritage Coast, national Trust land and the derelict Porth Wen brickworks. The consequence of this popularity is that:*

*· There is uncontrolled parking chaos along the narrow unclassified road to Llanlleiana and Llanbadrig that runs from the A5025 coast road past the site. Cars are indiscriminately parked along grass verges partially obstructing the roadway, in front of access gateways to fields, track and lanes and to residential properties.....'*

It is understood from the Coastal Path Officer that despite the fact that the Anglesey Coastal Path encompasses the entire coast of Ynys Môn, the traffic and parking issues which are being experienced here, do not, by and large occur elsewhere.

Whilst there are links to the Anglesey Coastal Path (ACP) from near the application site, it does not appear to be an obvious or natural location from which to join the ACP and the likelihood is, that it is the presence of the nearby Porth Wen Brickworks, a Scheduled Ancient Monument, which mainly attracts people to this particular location. Porth Wen Brickworks, however, is located on private property with no public access and where there are known health and safety concerns. It is therefore emphasised that any persons entering the brickworks site without the landowner's permission, are unlawfully trespassing.

It is unlikely to be a coincidence that the area where the traffic and parking issues are occurring and where the car park is proposed is as close as it is possible to get to the brickworks by car. Indeed in response to a query by the Landscape Officer that a location closer to the A5025 may, if justified, be preferable, the agent advised that this would not do away with the problems of indiscriminate roadside parking and vehicular pedestrian conflict.

The LPA consider that the provision of a car parking facility in this location, would likely lead to an increase in visitors to the area, and to the Brickworks in particular. Given the fact that the brickworks is private property, outside the applicant's ownership and with known health and safety concerns, the LPA consider that it would be imprudent for the Council to be seen to be encouraging or facilitating trespassing on private property.

Whilst acknowledging that there are existing traffic and parking issues and that the provision of a car park would undoubtedly go some way to alleviate those issues, in the LPA's opinion, were it not for the presence of the Porth Wen Brickworks, the traffic and parking issues would not exist and the need for a car parking facility in this location would not arise, as noted above such issues do not occur elsewhere.

Whilst there is undoubtedly a need to combat the problem in some way, it does not justify approval of an otherwise inappropriate and unjustified development in the open countryside, in a designated Area of Outstanding Natural Beauty, other means are available to the appropriate Authorities in an effort to tackle the issues i.e. parking restrictions, yellow lines, fixed penalty notices etc.

The application site is not 'previously developed land', does not form part of an existing tourist facility, and is not intended to serve a specific tourist attraction, consequently no need or justification for the development has been demonstrated and the proposal is therefore contrary to policy TWR 1.

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

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

The Anglesey AONB Management Plan 2015-2020 notes:

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

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

*LANDMAP describes the area 'to the east and west of Amlwch, extending from the coast 2km... inland, this is an intricate small scale landscape with winding lanes, glimpses of the coast, small craggy hillocks and damp valleys... There are scattered houses and small fields... Within the area is the settlement of Bull Bay dominated by bungalows and holiday accommodation, and an adjacent golf course... These detract from the integrity of the nearby landscape, as do views glimpsed to Wylfa power station... Otherwise, this is an attractive varied landscape...' and of High value as an 'Attractive and distinctive intricate landscape with rocky parts, views to coast, sheltered valleys... Generally unspoilt, except around Bull Bay'*

The installation of the proposed grass reinforced mesh would have localised adverse visual effects restricted to the site and immediate surroundings. When in use, parked vehicles will be prominent with temporary effects. Other structures such as barriers/bins/signage would if needed have more permanent effects.

The proposal would neither conserve nor enhance the special qualities of the AONB and there is no compelling need or justification for the development in this particular location which would outweigh the value of the site and national policy protection. The proposal is therefore contrary to policy AMG 1 of the JLDP.

## **Conclusion**

The Local Planning Authority therefore consider there is no need nor justification for the development in this location and that it would be harmful to the special qualities of the designated Area of Outstanding Natural Beauty contrary to policies PCYFF1, PCYFF2, PS14, TWR 1, PS19 and AMG1.

## **Recommendation**

That the application is refused for the following reasons:

**(01) The Local Planning Authority considers that the proposal would result in an unacceptable and unjustified development in the open countryside unrelated to any existing tourist attraction contrary to the provisions of policies PCYFF1, PS14 and TWR1 of the Anglesey and Gwynedd Joint Local Development Plan.**

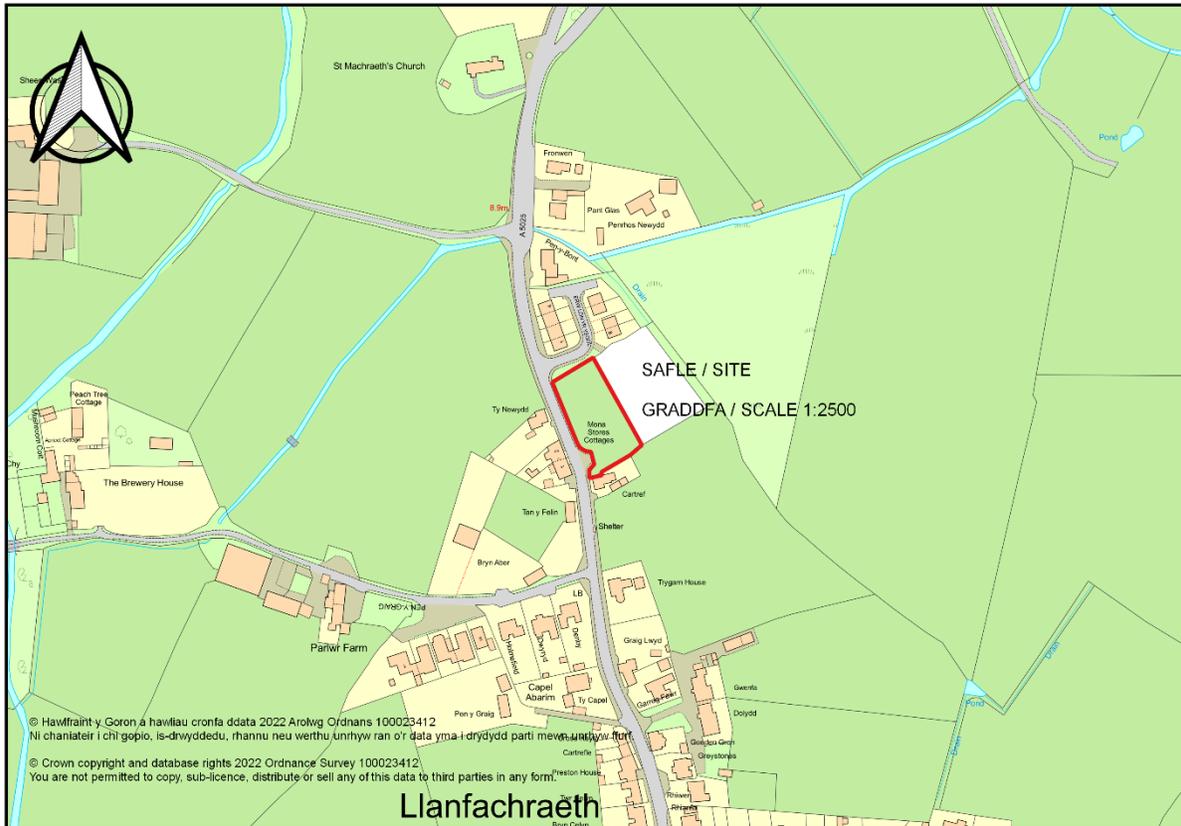
**(02) The Local Planning Authority considers that the development neither conserves nor enhances the special qualities and features of the designated Area of Outstanding Natural Beauty to the detriment of the character and appearance of the area contrary to policies PS19 and AMG 1 of the Anglesey and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

Application Reference: S106/2022/4

Applicant: AMP Construction

Description: Application for the amendments of Section 106 Agreement in relation to affordable housing of planning permission 27C23A on land adjacent to

Site Address: Former Llanfachraeth Primary School, Llanfachraeth



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

The application was called in to be determined by the planning committee at the request of Councillor Jackie Lewis.

At the meeting of 7th September, 2022, members resolved to refuse the application contrary to officer recommendation. The given reasons were that due to the current economic climate, there is a significant need for affordable housing and that it is inappropriate to lessen number of affordable houses delivered as part of the scheme.

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

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

Paragraph 4.6.12.2 requires that;

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

This report will therefore give consideration to these matters.

In accordance with section 38(6) of the Planning and Compulsory Purchase Act (2004) it is necessary to ensure that planning applications conform to the adopted Development Plan unless material planning considerations indicate otherwise. Other planning considerations can include national planning policy along with Technical Advice Notes (TAN) and Supplementary Planning Guidance (SPGs). The Joint Local Development Plan (JLDP) was formally adopted on the 31st July 2017 and has superseded the previous local planning policy framework under which the original application was granted. The JLDP therefore forms the development plan for both Gwynedd and Anglesey Local Planning Authority areas and is the basis for decisions on land use planning in the area.

Paragraph 7.7.2 of the Affordable Housing SPG states *“Where a developer seeks to re-negotiate the level or type of affordable housing previously agreed at the time of the original planning application, the developer will be required to demonstrate how the circumstances relating to economic viability have changed through the submission of an updated financial viability appraisal”*. Significant discussion occurred in the committee meeting of 7th September regarding economic viability and it was asked by the members why they had to consider this. As can be seen above however, economic viability is a valid consideration which is part of the affordable housing SPG. In line with the above extract from the SPG, the developer has evidenced the claim that it is unviable to provide two affordable dwellings on site by way of submission of a viability assessment and a Red Book Valuation. These documents were assessed by the Joint Planning Policy Unit and it was confirmed that providing two affordable dwellings is not viable in the current economic climate and in line with the affordable housing SPG, it is reasonable to reduce the affordable provision down to a single unit.

Notwithstanding the above, it must further be considered that under the JLDP, affordable housing provision requirements for new developments in Llanfachraeth stands at 20%. Policy TAI 15 seeks to secure an appropriate level of affordable housing across the Plan area, with areas allocated into 'housing price areas' based on what is considered to be viable as is explained in paragraph 6.4.107 of the policy. Llanfachraeth is included as part of the 'Rural West' housing price area and therefore as identified in the JLDP viability study, an affordable provision of 20% is considered viable. The proposal site includes safeguarded permission for 5 dwellings, for which 20% affordability would equate to 1 dwelling. 2 dwellings would equate to 40% of the development being affordable. The developer request of reducing the affordable provision to 1 dwelling is therefore in line with current policy requirements.

As mentioned above, section 38(6) of the Planning and Compulsory Purchase Act (2004) necessitates that planning applications conform to the adopted Development Plan unless material planning considerations indicate otherwise. Having established that the proposal is in accordance with the relevant policies of the current development plan and other material considerations (Affordable housing SPG), the department are of the opinion that there are no valid planning reasons for refusing the proposal. Refusal of the scheme contrary to the current development plan, other material considerations and the findings of the specialist reports (with no evidence provided by members to the contrary) provided with the

application would leave members at serious risk of appeal and costs. The developer has confirmed in writing that they are willing to follow the appeal procedure.

**Recommendation**

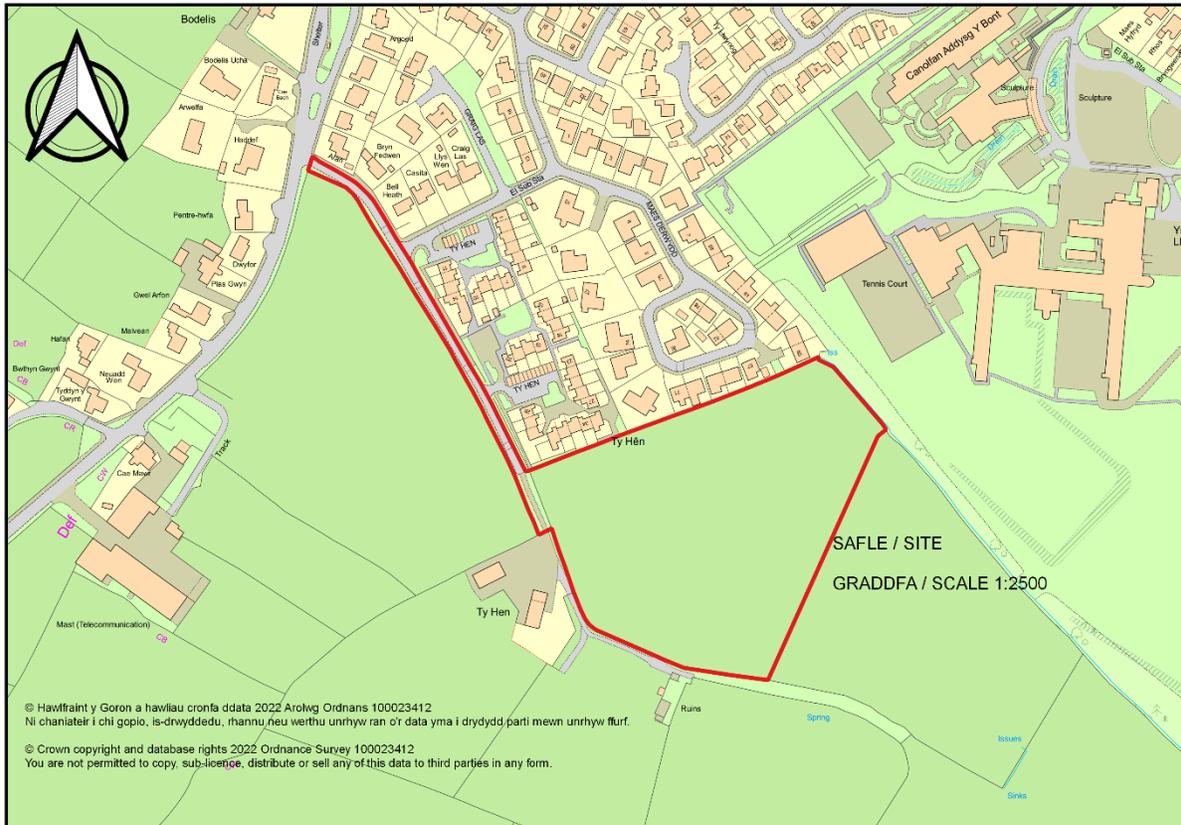
That the application is permitted

**Application Reference:** FPL/2021/159

**Applicant:** Quatrefoil Homes/Mr & Mrs Roberts

**Description:** Full application for the erection of 50 residential dwellings, 12 residential apartments, construction of a new vehicular access and road, construction of a foul water pumping station together with soft and hard landscaping on land adjacent to

**Site Address:** Stad Maes Derwydd Estate, Llangefni



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

The planning application was presented to the planning and orders committee on the 7th September, 2022 where members requested a site visit. The virtual site visit has taken place on the 21st September, 2022 and the members are now aware of the site and its settings.

The planning application has been called into the Planning and Orders Committee at the request of both Local Members due to local concern

## **Proposal and Site**

The application site comprises approximately 2.4 hectares of agricultural land situated on land adjacent Maes Derwydd, Llangefni and to the rear of Ysgol Gyfyn Llangefni.

This is a full application for the erection of 50 residential dwellings, 12 residential apartments, construction of a new vehicular access and road, construction of a foul water pumping station together with soft and hard landscaping. There will be a total of 6 affordable dwellings. The layout plan illustrates a new access from the site to join the existing highway and a pavement will be provided from within the application side which will lead to the existing pavement in front of Tai Hen.

This is a major planning application which has been subject to statutory pre-application consultation process. The requirement to carry out a pre-application consultation is set out in Section 17 of the Act and the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 as amended by the 2016 Order

## **Key Issues**

- Principle of Residential Development
- Highway Considerations and Sustainability
- Relationship with the Surroundings
- Relationship with Adjacent Properties
- Ecology and Biodiversity Considerations

## **Policies**

### **Joint Local Development Plan**

PS 1: Welsh Language and Culture

ISA 1: Infrastructure Provision

ISA 5: Provision of Open Space in New Housing Developments

PS 4: Sustainable Transport, Development and Accessibility

TRA 2: Parking Standards

TRA 4: Managing Transport Impacts

PS 5: Sustainable Development

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

PCYFF 1: Development Boundaries

PCYFF 2: Development Criteria

PCYFF 3: Design and Place Shaping

PCYFF 4: Design and Landscaping

PCYFF 6: Water Conservation

PCYFF 5: Carbon Management

PS16: Housing Provision

PS17: Settlement Strategy

TAI 1: Housing in Sub Regional Centre & Urban Service Centres

TAI 8: Appropriate Housing Mix

PS18: Affordable Housing

TAI 15: Affordable Housing Threshold & Distribution

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

AMG 5: Local Biodiversity Conservation

PS 19: Conserving and where appropriate Enhancing the Natural Environment

Planning Policy Wales (Edition 11)

Technical Advice Note (TAN) 2: Planning and Affordable Housing (2006)

Technical Advice Note 5 (TAN): Nature Conservation and Planning (2009)  
 Technical Advice Note Wales TAN 11 Noise (1997)  
 Technical Advice Note (TAN) 12: Design (2016)  
 Technical Advice Note (TAN) 18: Transport (2007)  
 Technical Advice Note (TAN) 20: Planning and the Welsh Language (2017)

Supplementary Planning Guidance Affordable Housing (2004)  
 Supplementary Planning Guidance IOCC Deign Guide for the Urban and Rural Environment (2008) "SPG Design Guide"  
 Supplementary Planning Guidance Parking Standards (2008)  
 Supplementary Planning Guidance Planning Obligations (Section 106 Agreements) (2008)  
 Supplementary Planning Guidance Housing Mix (October 2018)  
 Supplementary Planning Guidance Maintaining and Creating Distinctive and Sustainable Communities.  
 Supplementary Planning Guidance Open Space in New Residential Development (2019)

### Response to Consultation and Publicity

Consultee	Response
Cyngor Tref Llangefni Town Council	Comments in relation to the access from the main road, no provision of playing area for children and no community benefit towards childrens education.
Priffyrdd a Trafnidiaeth / Highways and Transportation	The Highways Section is satisfied with the proposal with suitably worded conditions.
Cynhorydd Geraint Ap Ifan Bebb	Call in requested due to local concern.
Rheolwr Polisi a Strategaeth / Policy & Strategy Manager	No comments due to no requirement to provide Welsh Language Statement.
Cynghorydd Nicola Roberts	Call in requested due to local concern.
Bwrdd Iechyd Betsi Cadwaladr Health Board	No response
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Standard policy comments.
Gwasanaeth Tân Gogledd Cymru /North Wales Fire Service	Comments received in relation to road width, surface of road and water supply.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Conditional Approval.
Ymgynghorydd Tirwedd / Landscape Advisor	Conditional Approval.
Iechyd yr Amgylchedd / Environmental Health	Conditional Approval.
Gwasanaeth Addysg / Education Service	No requirement for financial contribution.
Ymgynghoriadau Cynllunio YGC	No comments.
Dwr Cymru Welsh Water	Conditional Approval.
Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service	Conditional Approval.
Strategol Tai / Housing Strategy	Comments received in relation to the Housing Need in the area.

The planning application was advertised by way of placing a site notice near the site and neighbouring properties notified in writing. A notice was also placed in the local newspaper. The publicity period for the latest amended plans and additional information expired on the 17th August, 2022.

3 letters of support was received, the main comments as follows:-

- Welcome development; however concerned that the houses are too expensive for local people and first time buyers

47 objection letters were received and 11 web comments were received, the main comments as follows:-

- Increase in traffic at the junction of the Ty Hen Road and B4422 which is already dangerous and a blind bend in the road.
- The development should include road humps
- Not enough parking at Ty Hen at present and people parking on the road.
- Infrastructure not capable of coping with the development
- Is there a need for this amount of housing in Llangefni baring in mind other housing developments in Llangefni.
- Impact on local community, peace and tranquillity
- Affordable homes not at an affordable price
- Social Housing is required in Llangefni
- Impact on Ecological wildlife
- Pressure on Schools, dentists, doctors and NHS
- Impact on overlooking/loss of amenity
- Stream will be affected
- No decent size gardens and no communal play area
- No primary school places available
- Impact on Conservation Area
- Visual impact of height of dwellings, overbearing and out of place with nearby residential properties.
- Creating a precedent
- Impact on Welsh Language
- Concerns of short cut taken through Maes Derwydd
- Cycle way should have been part of the application

In response to the reasons for objection:-

- The Highways Department has confirmed that they are satisfied with the proposal that has been submitted and sufficient visibility is available from the Ty Hen Road junction.
- The Highways Authority has not requested that the applicant provide speed humps with this planning application.
- It is not possible to consider lack of parking outside of the application site. The proposal meets the parking requirements and has sufficient parking to cater for the development. This will ensure no further parking problems outside of the site.
- The highways authority is satisfied that the infrastructure is capable of coping with the increase of traffic.
- The site is an allocated housing site (T17) in the Joint Local Development Plan. The information submitted with the planning application states that there is a need for housing in Llangefni.
- There will inevitably be some disruption during construction works, however a condition will be imposed requesting further information on lighting, working hours, dust and control measures etc to ensure that the development does not have an unacceptable impact on nearby residential properties.

- The affordable homes have been shown on the proposed site plan, these will be subject to a Section 106 agreement to ensure they are kept as affordable dwellings for the lifetime of the permission.
- An ecological report has been submitted with the planning application and the proposal takes into account ecological mitigation. Further landscaping work will be required in order that the development complies with PCYFF4 of the JLDP. This will be conditioned to ensure further details is received prior to the commencement of work on site.
- The Education Department has confirmed that no education contribution is required as the new Corn Hir School took into account numbers from allocated housing sites when designing the new school. Betsi Cadwaladr has been consulted numerous times but have not responded on whether there is a need to contribute towards local facilities in the area.
- The proposal has been amended and dwellings have been moved back in order to ensure that the properties comply with the SPG on Urban and Rural Environment (Proximity).
- The apartments are kept away from the existing stream on site.
- There is sufficient garden space for each property and the proposal does include an open space area of over 1000 square metres.
- The application site is not within the Llangefni Conservation Area. It is not considered that the proposal would have a negative impact upon the setting of Llangefni Conservation Area.
- The proposal entails a mixture of different types of dwelling houses from 2 – 5 bedroomed dwellings. There is a mixture of different types and scale of houses in the immediate area and it is not considered that the design, scale or height will look out of place in the area.
- The parcel of land forms part of the T17 housing allocation under the JLDP, and it is not considered that this sets a precedent for other developments in the area.
- As the proposal meets the housing needs in the locality, there was no need to provide a Welsh Language Statement as part of Policy PS1. It is not considered that the proposal would have a negative impact on the Welsh Language.
- There is no formal short cut proposed through Maes Derwydd. People wanting to use the PROW on Maes Derwydd will need to walk around Ty Hen to reach the PROW.
- The proposal does include a public footpath which links to the footpath in front of Ty Hen estate.

### **Relevant Planning History**

None

### **Main Planning Considerations**

#### **Principle of Residential Development**

In the JLDP Llangefni is identified as an Urban Service Centre under Policy TAI 1 (Housing in Local Service Centres). This policy supports housing to meet the Plan's strategy through housing allocations and suitable unallocated sites within the development boundary based upon the indicative provision shown within the Policy. The application site is within the development boundary and forms part of the T17 housing allocation which is land allocated as a housing site in the plan. The proposal is therefore considered against Policy TAI 1.

The application site is located on an allocated site (T17) within the development boundary of Llangefni under the provisions of PCYFF 1 and the principle of residential development is therefore acceptable and aligns with policy TAI 1, further the JPPU have confirmed that at present capacity exists in the settlement and that no Welsh Language Statement is required with the planning application. A satisfactory record of how the Welsh language was considered has been provided with the planning application and has been assessed by the Welsh Language Officer.

Criterion (3) within Policy PCYFF 2 seeks to ensure that proposals make the most efficient use of land, including achieving densities of a minimum of 30 housing units per hectare for residential development (unless there are local circumstances or site constraints that dictate a lower density). The size of the proposed development site is approximately 2.38 hectares. The density of this proposal (62 units) on part of the allocation (2.38 hectares) totals 71.4 units per hectare fails to comply with Policy PCYFF 2;

however, it is necessary to consider the proposed development includes open space provision, SUDS requirements and to ensure that the proposed dwellings are located at an acceptable distance away from existing residential properties.

Policy TAI 8 of the JLDP requires that the mix of housing in a development are appropriate and align with the need of the area. The mix of dwellings comprises detached and semi-detached houses and two blocks of Apartments. There will be 6 number 1 bedroom, 12 number 2 bedrooms, 23 number 3 bedrooms, 15 number 4 bedroom, and 6 number 5 bedroom. The proposal would increase the provision of detached, semi-detached, terraced houses and flats in Llangefni. The proposed housing mix would complement the housing mix provided within the area and in light of the above, the Local Planning Authority are of the opinion that the proposal can be supported on the grounds of need in the locality.

Policy TAI 15 requires that part of the proposed development is provided for affordable housing purposes and in Llangefni this equates to 10% of the overall number of units which equates to 6.2 units. The council's Housing Service has confirmed that there is a need for affordable housing based on the council housing waiting list and the Tai Teg register and they have confirmed that they are satisfied with 6 affordable units. A total of 6 no affordable units will be provided and a financial contribution of £16,666 will be required towards affordable housing in the vicinity.

### **Highway Considerations and Sustainability:**

It is material that the application site is allocated for residential purposes in the JLDP and that at part of this process the adequacy of the highway network serving the development would have been assessed in preparing the plan.

An Access Feasibility Study has been provided with the planning application, within the study the TRICS database has been interrogated for surveys of developments similar to that proposed to determine the trip generation for the development. The Highway Authority has confirmed that they are satisfied with the proposal with appropriately worded conditions.

The Highways Authority has confirmed that the site layout is satisfactory and each dwelling complies with car parking standards. There is a good estate road and a footway is proposed from the development site which links to the existing footway in front of Ty Hen estate. The application site is also within walking distance of the public right of way at Maes Derwydd which runs parallel with Ysgol Gyfun Llangefni and Ysgol y Bont.

Access to the site is via the B4422 and a 70m x 2.4m visibility splay provided in each direction and sufficient parking spaces has been provided for each of the dwelling.

### **Drainage**

Drainage plans have been submitted with the planning application and confirmation has been received that foul drainage from the development would be discharged into the public sewer at manhole chamber reference SH44759751 located on the main road near the Ty Hen estate. A pumping station will be provided and will be adopted by Welsh Water. Welsh Water has confirmed that this is acceptable with an appropriate worded condition.

Surface water run-off will be stored in new in-site ditch and discharged into a stream which will be controlled by a weir. Surface water from the development will need to be disposed of via a SuDS system and approval will be required from the Suds Approving Body which is an arm of the council.

### **Ecology and Biodiversity:**

In line with Strategic Policy PS19 and AMG5 of the Joint Local Development Plan and the requirements of the Environment (Wales) Act 2016 to seek to maintain and enhance biodiversity a Preliminary Ecological Appraisal was submitted with the planning application.

The Ecological Appraisal states that Mitigation Measures outlined in the ecological report will need to be adhered to.

Natural Resources Wales has confirmed that they are satisfied with the ecological assessment and confirm that the proposal is not likely to harm or disturb bats and/or Great Crested Newts (GCN). NRW states that there is potential for GCN to use/access the site in their terrestrial phase and an adequate buffer zone should be achieved from the ditch. This buffer zone is shown on the proposed site plan.

The ecological assessment has picked up Himalayan balsam and three-cornered garlic which are considered non-native species (INNS) on the land, the applicant will be required to provide a Biosecurity Risk Assessment prior to any commencement of work on site.

### **Landscaping**

The proposal includes further landscaping as shown on the proposed site plan. However, the proposal will need to incorporate biodiversity enhancement as recommended by the ecological survey to ensure that the proposal complies with the requirements of Policy PCYFF4 and AMG5 of the JLDP. It is considered necessary to place conditions on the permission to ensure that no development takes place until details of hard and soft landscaping have been submitted and a landscape management plan is submitted to the LPA for approval.

### **Relationship with Adjacent Properties**

The council's SPG Design Guide provides guidance on the proximity of development to other properties and boundaries to prevent overlooking and other unacceptable impacts. Amended plans were received in the course of determining the planning application which increased the distances from the rear elevations of the dwellings to the boundaries. The distances are now acceptable such that there will not be any unacceptable impacts on the residential amenities of the existing residential properties.

Consideration has been given to the distance of the proposed new dwellings to existing residential properties at Ty Hen and Maes Derwydd Estate. Initially the position of the proposed dwellings failed to comply with the Supplementary Planning Guidance on Proximity of development. The plans were amended to move the dwellings away from the North boundary. It is also considered necessary to ensure that a Construction Environmental Management Plan is submitted prior to the commencement of work on the site to ensure an agreement is reached on working times and other construction activities.

It is considered that the amendments made to the proposal complies with the requirements of PCYFF2 of the JLDP.

### **Other Matters:**

Policy ISA 5: of the JLDP requires that new housing proposals for 10 or more dwellings in areas where existing open space cannot meet the needs of the proposed development, will be expected to provide suitable open space provision in accord with the policy. There is a deficiency in provision of children's playing space in Llangefni. The recreational need in the informal play space category is 622.56 square metres and the proposal provides 1010 square metres of informal public open space as part of the proposed development which covers the shortfall.

The application site comprises agricultural land Grade 2. Planning Policy Wales states Grade 1, 2 and 3a agricultural land should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations. In this instance the application site is allocated as a housing site such that the aforementioned considerations would have been systematically assessed as part of the overall process of preparing the JLDP.

The council's Education Section have confirmed that no financial contribution is required in this instance due to sufficient capacity being available at the new Ysgol Corn Hir school.

## **Conclusion**

In summary the proposal for 62 residential units on this allocated housing site aligns with material policies and is acceptable having weighted the material considerations described in the report.

## **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 approved means of enclosure shall be completed prior to the use of the dwelling houses hereby approved. The means of enclosure should be constructed or erected in accordance with drawing number jig/1650/20 Rev A and shall thereafter be retained for the lifetime of the development hereby approved and any replacement 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) If contamination is encountered in the implementation of the development hereby approved it shall be fully assessed in an appropriate remediation scheme which shall be submitted to and approved in writing by the Local Planning Authority. The relevant parts of the application site shall thereafter be remediated in accordance with the scheme of remediation approved under the provisions of this planning condition.**

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

### **(04) The provisions of Part 1, Classes A and B of the Town and Country Planning (General Permitted Development) (Wales) Order 2013 (or any amendment or Order re-voking or re-enacting that Order) are hereby excluded on the affordable units as shown on drawing number jig/1650/20 Rev A.**

Reason: To ensure the dwellinghouses are retained as affordable units.

### **(05) The application site shall be developed strictly and entirely in accordance with the Preliminary Ecological Assessment by Enfys Ecology dated 16<sup>th</sup> April, 2021 V1.**

Reason: In the interests of ecology.

### **(06) No tree or vegetation removal or intrusive works near existing trees and hedges shall take place between 1<sup>st</sup> March and 31<sup>st</sup> August in any year unless the trees and vegetation has been examined by a suitably qualified ecologist to confirm the absence of nesting birds. The results of this survey shall be submitted to and approved in writing by the Local Planning Authority prior to any vegetation removal between 1<sup>st</sup> March and 31<sup>st</sup> August.**

Reason: To safeguard any nesting birds which may be present on the site.

**(07) Full details of a lighting scheme which shall include full specifications of all external lights, a plan showing any light spillage on the application site and surrounding land; specifications and heights of any columns, bollards or other such fixtures for the development must be submitted to and approved in writing by the Local Planning Authority before the use hereby approved commences. The development shall thereafter be carried out in accordance with the Lighting Scheme approved under the provisions of this condition and then operated and maintained in accordance with the approved scheme for the lifetime of the development.**

Reason: To safeguard the amenities of occupants of the surrounding properties and in the interest of ecology

**(08) No development with the potential to impact on invasive species, shall commence until a Biosecurity Risk Assessment has been submitted to and approved in writing by the Local Planning Authority. The risk assessment shall include measures to control, remove or for the long-term management of invasive species both during construction and operation. The Biosecurity Risk Assessment shall be carried out in accordance with the approved details.**

Justification: To ensure that an approved Biosecurity Risk Assessment is implemented to secure measures to control the spread and effective management of any invasive non-native species at the site.

**(09) Any construction works should be carried out between the following times – 0800 – 1800hrs – Monday to Friday; 0800 – 1300hrs on Saturday’s and no working on Sunday’s or Bank Holidays.)**

Reason: In the interest of residential amenity

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

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

Reasons 1: To ensure the implementation of an appropriate programme of archaeological mitigation in accordance with the requirements of Planning Policy Wales 2018 and TAN24: The Historic Environment.

Reason 2: To ensure that the work will comply with Management of Archaeological Projects (MAP2) and the Standards and Guidance of the Chartered Institute for Archaeologists (CIfA).

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

**The sustainability of the construction methods to be employed;**

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

**Working hours during the construction**

**Dirt and dust control measures and mitigation**

**Noise, vibration and pollution control impacts and mitigation;**

**Existing hedge and tree protection measures.**

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

**Monitoring and compliance measures including corrective/preventative actions with targets in the CEMP which shall accord where relevant with British Standards.**

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

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

**(12) Notwithstanding the drawing submitted with the planning application, natural slates of uniform colour shall be used as the roofing material of the proposed dwellings.**

Reason: In the interests of amenity.

**(13) No development shall take place until details of a scheme to either protect the structural condition or divert the public water main crossing the site has been submitted to and approved in writing by the local planning authority. The scheme shall include a detailed design, construction method statement and risk assessment outlining the measures taken to secure and protect the structural condition and ongoing access of the public water main. No other development pursuant to this permission shall be carried out until the approved protection measures or diversion scheme have been implemented and completed. The approved scheme shall be adhered to throughout the lifetime of the development and the protection measures shall be retained in perpetuity.**

Reason: To protect the integrity of the public watermain(s) and avoid damage thereto.

**(14) Only foul water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made at manhole reference number SH44759751 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.**

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

**(15) Works shall not commence on the site until the access has been completed in accordance with the details shown in drawing no. SCP/190889/F01 and it shall thereafter be retained for as long as the development remains in existence.**

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

**(16) The access shall be constructed with 25 metre by 25 metre splays on either side.**

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.

**(17) 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 any work is commenced on the remainder of the development before the dwelling is occupied.**

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

**(18) The estate road 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.

**(19) The dwellings shall not be occupied until the access road shown on drawing no. SCP/190889/F01 has been constructed to the base course level.**

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

**(20) The car parking accommodation shall be completed in full accordance with the details as shown on drawing reference A900 (Job No. jig/1650/20) before the use hereby permitted is commenced 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.

**(21) 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.**

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

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

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

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

- (i) The routing to and from the site of construction vehicles, plant and deliveries.**
- (ii) The type size and weight of construction and delivery vehicles to be used in connection with the construction of the development, having regard to the geometry, width, alignment and structural condition of the highway network along the access route to the site;**
- (iii) The timing and frequency of construction and delivery vehicles to be used in connection with the development, having regard to minimising the effect on sensitive parts of the highway network and construction routes to the site, including regard for sensitive receptors e.g. schools and network constraints;**
- (v) Measures to minimise and mitigate the risk to road users in particular non-motorised users;**
- (vi) The arrangements to be made for on-site parking for personnel working on the Site and for visitors;**
- (vii) The arrangements for loading and unloading and the storage of plant and materials;**
- (viii) Details of measures to be implemented to prevent mud and debris from contaminating the adjacent highway network; The construction of the development shall be completed in accordance with the approved plan.**

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

**(24) 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.

**(25) 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.

**(26) Prior to the commencement of work on site, the following details should be submitted for approval in writing by the Local Planning Authority:**

**- the proposed road layout and typical construction details based on ground investigation information to verify its adequacy.**

**- the location and the type of street lighting furniture.**

**The development shall be constructed with in accord with the details that have been approved in writing by the Local Planning Authority under the provisions of this planning condition.**

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

**(27) No development shall commence until measures are in place to secure the future maintenance of the access and estate roads in accordance with details previously submitted and approved in writing by the local planning authority “ Management and Maintenance Plan”. The Management and Maintenance Plan for the lifetime of the development shall include the arrangements to secure the operation of the scheme throughout its lifetime. The access and estate roads shall thereafter be maintained in accord with the Management and Maintenance Plan approved under the provisions of this condition for the lifetime of the development hereby approved.**

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

**(28) No development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:**

**i) hard surfacing materials;**

**ii) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, etc.) and**

**iii) ecological enhancements**

**Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant supply sizes and proposed numbers/densities where appropriate; an implementation programme (including phasing of work where relevant). 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. The planting shall be retained for the life of the development hereby approved.**

Reason: In order that the proposal integrates into the area and achieves appropriate ecological enhancements in accordance with Policies PCYFF 3 and 4 and AMG 5 of the JLDP.

**(29) The landscaping works shall be carried out in accordance with the approved details during the first planting season immediately following completion / occupation of the development/ the agreed implementation program. The completed scheme shall be managed in accordance with an approved scheme of landscape management.**

Reason: In order that the proposal integrates into the area and achieves appropriate ecological enhancements in accordance with Policies PCYFF 3 and 4 and AMG 5 of the JLDP.

**(30) A landscape management plan, including management responsibilities and maintenance schedules for all landscaped areas, other than privately owned domestic gardens, shall be submitted to and approved in writing by the local planning authority prior to the occupation of any of the dwellings on the site. The landscape management plan shall be carried out as approved.**

Reason: In order that the proposal integrates into the area and achieves appropriate ecological enhancements in accordance with Policies PCYFF 3 and 4 and AMG 5 of the JLDP.

**(31) All arboricultural works and tree protection measures identified in Arboricultural Impact Assessment (AIA) and Tree Protection Fencing shall be implemented as detailed in Appendix 5 (Schedule of Operations) of the Tree Solutions Arboricultural Report, Jan 2022.**

Reason: In order that the proposal integrates into the area in accordance with Policies PCYFF 3 and 4 of the JLDP.

**(32) 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.**

- Elevations and Floor Plans Teryn Four Bed Premier – A111
- Elevations and Floor Plans Teryn Four Bed – A110
- Elevations and Floor Plans Teryn Three Bed – A109
- Elevations and Floor Plans Hafren – A107
- Elevations and Floor Plans Alwyn and Dinas – A113 Rev A
- Preliminary Drainage Layout Planning – 1491/102 Rev A
- Visibility Block Plan – jig/1650/22
- Preliminary Drainage Layout Planning: Rising Main – 1491/103
- Site Masterplan – jig/1650/20 Rev I
- Elevations and Floor Plans Celyn – Five Bed – A112 Rev B
- Elevations and Floor Plans Brianne Four Bed – A104 Rev B
- Elevations and Floor Plans Claerwen – A103 Rev A
- Elevations and Floor Plans Apartment – A102 Rev C
- Elevations and Floor Plans Glaslyn – A108 Rev A
- Elevations and Floor Plans Vyrnwy – A106 Rev A
- Landscape Plan – A901 Rev A
- Location Plan – AL 0 001
- Preliminary Ecological Appraisal V1– Enfys Ecology – dated 16/04/2021
- Access Feasibility Study – MC/190889/TN01 – 10 January 2020
- Arboricultural Impact Assessment + Method Statement – Tree Solutions January 2022
- Water Conservation Statement
- Welsh Language Statement, Richards Moorehead + Laing Ltd – June 2022

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, ISA1, ISA5,

PS4, TRA2, TRA4, PS5, PS6, PCYFF1, PCYFF2, PCYFF3, PCYFF4, PCYFF5, PCYFF6, PS16, PS17, TAI1, TAI8, PS18, TAI15, AMG3, AMG5, PS19

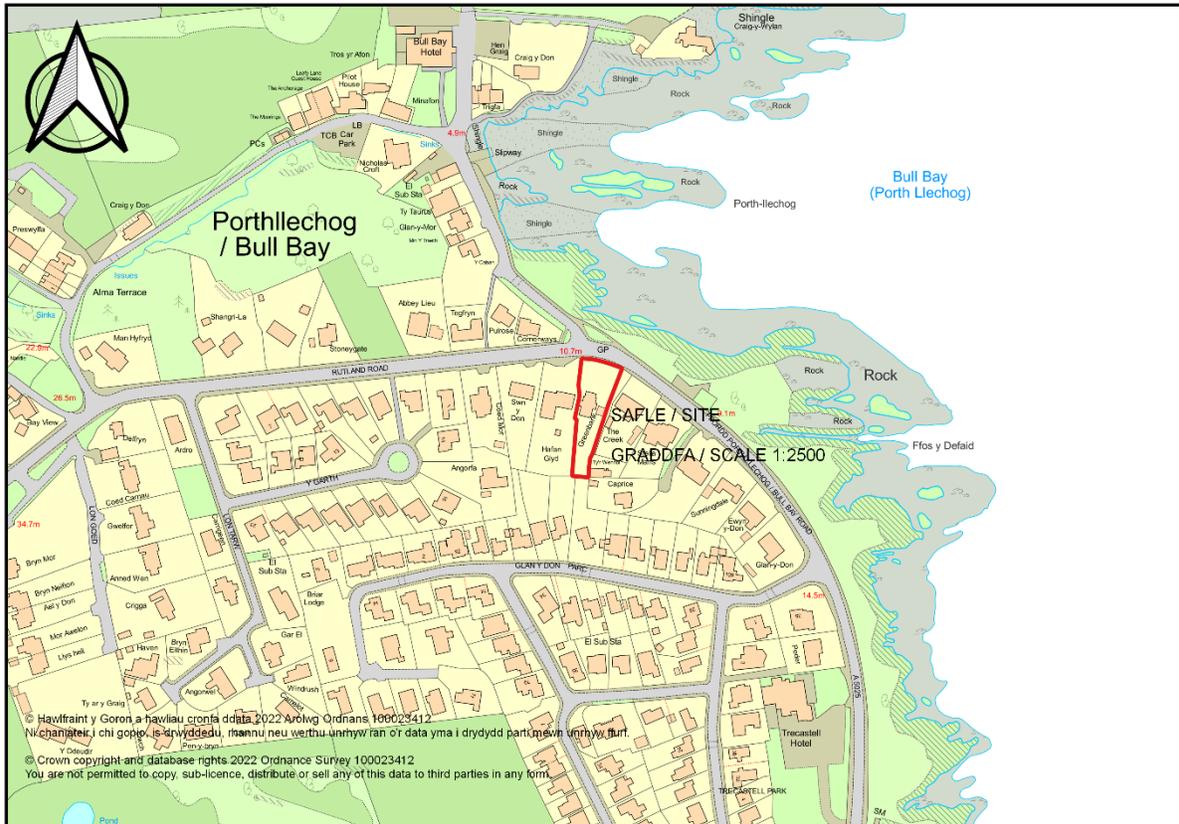
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2022/14

Applicant: Gladstone Investments LP

Description: Full application for the demolition of the existing dwelling and garage together and erection of new dwelling together with alterations to the vehicular access at

Site Address: Green Bank, Bull Bay Road, Bull Bay, Amlwch



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

The planning application was presented to the planning and orders committee on the 7th September, 2022 where members requested a site visit. The virtual site visit has taken place on the 21st September, 2022 and the members are now aware of the site and its settings.

The planning application has been called into the planning committee by Cllr Aled Morris due concerns relating to design and over-development of the site.

## Proposal and Site

This is a full planning application for the demolition of the existing single storey dwelling and garage together with the erection of a two storey dwelling and alterations to the vehicular access at Green Bank, Bull Bay.

The application site fronts the A5025 Bull Bay Road and overlooks the Sea.

## Key Issues

The key issue is whether the proposal complies with policy, the amenity of adjacent residential properties and highway considerations.

## Policies

### Joint Local Development Plan

Strategic Policy PS 5: Sustainable Development  
Policy PCYFF 2: Development Criteria  
Policy PCYFF 1: Development Boundaries  
Policy PCYFF 3: Design and Place Shaping  
Policy PCYFF 4: Design and Landscaping  
Policy TAI 13: Replacement Dwellings  
Policy TAI 8: Appropriate Housing Mix  
Policy AMG 5: Local Biodiversity Conservation  
Policy TRA 2: Parking Standards  
Policy TRA 4: Managing Transport Impacts

Planning Policy Wales (Edition 11, February 2021)

Technical Advice Note 12: Design (2016)

Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)  
Supplementary Planning Guidance - Replacement Dwellings and Conversions in the Countryside (September 2019)

## Response to Consultation and Publicity

Consultee	Response
Cynghorydd Derek Owen	No response at the time of writing the report.
Cynghorydd Liz Wood	No response at the time of writing the report.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Satisfied with the ecological information submitted with the planning application.
Cynghorydd Aled Morris Jones	Request that the planning application be presented to the planning committee for consideration due to design and over-development.
Cyngor Tref Amlwch Town Council	No objection.
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Standard policy comments.
Priffyrdd a Trafnidiaeth / Highways and Transportation	Satisfied with the proposal with a condition requiring a Construction Traffic Management Plan.

Dwr Cymru Welsh Water	Conditional Approval.
Cyfoeth Naturiol Cymru / Natural Resources Wales	Conditional Approval in relation to the ecological assessment and protected sites.
Iechyd yr Amgylchedd / Environmental Health	Standard comments in relation to working hours.

6 web comments and 4 formal letters of objection have been received from neighbouring properties, the comments as follows:-

- Scale of development
- Not in keeping with the area
- Impact on tranquillity
- Need for further parking
- Traffic and dangerous corner of the road
- Loss of Light
- Impact on Holiday let next door
- It may be used for holiday letting business which will increase noise
- Block View
- De-valuation of property

In response to the comments made:

- It is not considered that the scale of the replacement dwelling over-dominates the site, there is sufficient room within the plot to accommodate the proposal. The height of the replacement dwelling is no higher than the neighbouring property 'The Creek'.
- There is no particular style of dwellings in the area, it is not considered that the proposal will look out of place on the site.
- There will be some noise during construction; however this will be for a limited time. It is expected that some noise will be generated during construction works.
- There is sufficient space for parking within the site.
- The Highways Department are satisfied with the improvements to the existing access and have recommended that a construction traffic management plan is submitted to the Authority prior to the commencement of work on site.
- It is not considered that the proposal will have an impact on loss of light to neighbouring properties.
- It is not considered that the replacement dwelling will impact on the holiday home next door.
- The planning application submitted is for a residential dwelling and not a holiday home.
- Right to a view is not a planning consideration
- It is not considered that the proposal will de-value neighbouring properties. This is also not a material planning consideration.

### **Relevant Planning History**

11C/91 – Demolition of existing timber frame building and construction of a new dwelling at Greenbank, Bull Bay – Approved 12/12/86

11C/91/A – Erection of a garage at Greenbank, Bull Bay – Permission required 18/4/89

11C/91/B – Demolition of existing bungalow together with the erection of a new bungalow at Greenbank, Bull Bay – Approved 5/11/97

## Main Planning Considerations

### Policy Consideration

The most relevant development plan policy against which to assess the application is policy TAI 13: Replacement Dwellings, together with other more general policies relating to design and place shaping etc.

Policy TAI 13 states that proposals for the replacement of a dwelling that meet the following criteria, where appropriate, will be granted.

1. Outside development boundaries or identified clusters, the present dwelling has a lawful residential use;
2. The building is not listed
3. The existing dwelling is of no particular architectural and/or historic and/or visual merit, for which it should be conserved;
4. Outside development boundaries the existing dwelling is not capable of retention through renovation and extension and/or it is demonstrated that the repair of the existing building is not economically feasible;
5. Outside development boundaries, the proposed dwelling is not a replacement for a caravan or holiday chalet that has legal residential status;  
Outside a Coastal Change Management Area, the siting of a replacement dwelling should be within the same footprint as the existing building unless it can
6. be demonstrated that relocation within the curtilage lessen its visual and amenity impact in the locality;
7. Outside development boundaries, the siting and design of the total new development should be of a similar scale and size and should not create a visual impact significantly greater than the existing dwelling in order that it can be satisfactorily absorbed or integrated into the landscape. In exceptional circumstances a larger well designed dwelling that does not lead to significant greater visual impact could be supported;
8. In area at risk from flooding and outside a Coastal Change Management Area;
  - i. A flood consequence assessment has been undertaken for the development and satisfactory risk mitigation has been identified.
  - ii. The dwelling will incorporate flood mitigation and resiliency measures in accordance with Community and Local Government (CLG) publication 'Improving the flood performance of new buildings; flood resilient construction';
  - iii. The building must be appropriately designed to withstand and be resilient to hydrostatic pressure resulting from a breach/overlapping of the tidal defences;
  - iv. A flood warning and evacuation plan has been prepared for the property and is to be displayed on site.
9. Exceptionally, when a recently or inhabited or habitable dwelling is destroyed by accident, planning permission may be granted for a new dwelling, in situ. Evidence about the status and previous condition of the building and the cause and extent of the damage must be provided.

Planning permission for a replacement dwelling may be subject to a condition to ensure:

1. The demolition of the original dwelling and where appropriate the demolition of outbuildings on the completion of the new dwelling and/or
2. That permitted development rights are removed.

The above policy is supported by Supplementary Planning Guidance (SPG): Replacement Dwellings and Conversions in the Countryside which was adopted on the 6th September 2019 and which provides further guidance and advice in relation to applications for replacement dwellings in the countryside.

Criteria 1, 4, 5 and 7 are not relevant as the application site is within the cluster of Bull Bay as identified in Policy TAI 6 of the Joint Local Development Plan.

The proposal relates the replacement of an existing unlisted dwelling. It is not considered that the existing dwelling has any particular architectural, historic or visual merit such that it should be conserved, the proposal therefore meets criteria 2 and 3 of the policy.

Criteria 6 – The dwelling will be on the same footprint as the original dwelling.

Criterion 8 of the policy relates to flood risk. The application site is not within a C2 Flood area.

### **Coastal Change Management Area**

This site lies in close proximity to PU18.13 'Trwyn y Parc i Trwyn Cwmryd' as identified within the Shoreline Management Plan, the position in relation to this policy unit is No Active Intervention for both the policy epochs to 2025 and 2055. A review of the SMP 2 reveals that this site is not subject to erosion in the near future. In light of this the site lies outside of the Coastal Change Management area. It is noted that a Flood Consequence Assessment has been submitted with the application which concludes that overall, the proposed development is deemed acceptable in terms of flood risk.

### **Special Protection Area (SPA) and Special Area of Conservation (SAC)**

The application site is located within 25 metres of the SPA and 59m of the SAC. The ecologist has confirmed that the proposed development is unlikely to have an impact on the features of these two designations.

### **Design**

The existing dwelling is a single storey cottage with a pitched roof, a conservatory is located on the front elevation and a small pitched roof garage is located to the East of the existing dwelling.

The proposal is to replace the existing dwelling and garage with a larger and modern two storey dwelling. The existing dwelling has a floor area of approximately 105.18 square metres. There are no particular style of dwellings in the immediate area, the properties in the immediate area range from single storey and dormer dwellings. The floor area of the replacement dwelling will be a total of 308 square metres and no higher than the neighbouring property 'The Creek' to the East and approximately 1m higher than 'Hafan Glyd' to the West.

Amendments have been received to the proposal to ensure that the proposal complies with the Supplementary Planning Guidance on Urban and Rural Environment. The dwelling has been moved back within the plot to ensure no impact upon the neighbours.

The existing dwelling is smaller than the majority of properties in the area and the replacement dwelling will fit comfortably within the site without harming existing residential properties. It is considered that the proposal will complement and enhance the character and appearance of the site in terms of appearance and the use of high quality materials meets the policy requirements PCYFF3. It is accepted that this is a modern design, but the scale, massing and elevational treatment will integrate into the surroundings and improve the appearance of the site.

### **Ecology**

The planning application includes a total of 3 bird boxes on the side elevations and 2 bat boxes on the rear elevation together with the planting of native vegetated areas to the front of the site and additional native vegetated areas to the East boundary. An ecological report has been received with the planning application and a condition will be placed on the permission to ensure that works proceed in accordance with the Preliminary Roost and Ecological Assessment and Emergence.

## Highways

The Highways Authority has confirmed that they have no objection to the proposal. A construction traffic management plan will be required prior to the work commencing on site. The current vehicular access is being improved and widened as part of the planning application.

## Impact on Adjacent Residential Properties

The planning application has been amended to ensure that the amenities of adjacent residential properties will not be affected. The dwelling has been moved back within the plot, and the side screens of the balcony will be 1.8m high and obscurely glazed.

It is not considered that the proposal will have a negative impact upon the residential amenity of adjacent residential properties. The existing dwelling currently overlooks neighbouring properties and it is not considered that the replacement dwelling will increase the amount of overlooking to neighbouring residential properties.

## Conclusion

It is considered that the proposal complies with the JLDP policies. The amendments made to the planning application ensures that the amenity of adjacent residential properties are maintained. It is considered that the proposal will complement and enhance the character and appearance of the site in terms of appearance and the use of high quality materials.

## Recommendation

That the application is permitted subject to the following conditions:

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

Reason: To comply with the requirements of the Town and Country Planning Act 1990.

**(02) 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 visual amenity.

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

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

**(04) The development shall take place in accordance with the Section 6.0 Biodiversity Enhancements and Section 7.0 Reasonable Avoidance Measures contained within the Preliminary Roost and Ecological Assessment and Emergence – 31<sup>st</sup> August 2021 by Enfys Ecology submitted under application reference FPL/2022/14.**

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

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

- (i) The routing to and from the site of construction vehicles, plant and deliveries.**
- (ii) The type size and weight of construction and delivery vehicles to be used in connection with the construction of the development, having regard to the geometry, width, alignment and structural condition of the highway network along the access route to the site;**
- (iii) The timing and frequency of construction and delivery vehicles to be used in connection with the development, having regard to minimising the effect on sensitive parts of the highway network and construction routes to the site, including regard for sensitive receptors e.g. schools and network constraints;**
- (v) Measures to minimise and mitigate the risk to road users in particular non-motorised users;**
- (vi) The arrangements to be made for on-site parking for personnel working on the Site and for visitors;**
- (vii) The arrangements for loading and unloading and the storage of plant and materials;**
- (viii) Details of measures to be implemented to prevent mud and debris from contaminating the adjacent highway network;**

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

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

**(06) Any construction works should be carried out between the following times – 0800 – 1800hrs – Monday to Friday; 0800 – 1300hrs on Saturday's and no working on Sunday's or Bank Holidays.)**

Reason: In the interest of residential amenity

**(07) Prior to the use of the balcony hereby approved, both 1.8 side screens of balcony at first floor level on the proposed east and west elevations as labelled on the drawing BR:PETERS:PL03A shall be fitted with obscure glazing (level 5 obscurity level) and thereafter shall be retained as such for the lifetime of the development hereby approved.**

Reason To safeguard the residential amenities of occupants of the adjacent residential property

**(08) The development permitted by this consent shall be carried out strictly in accordance with the plans submitted under planning application reference FPL/2022/14.**

- **Location Plan**
- **Proposed Site Plan – BR:PETERS:PL01C**
- **Proposed Floor Plans - BR:PETERS:PL02A**
- **Proposed Elevations and Section - BR:PETERS:PL03A**
- **Proposed Elevations and Section - BR:PETERS:PL04A**
- **Preliminary Roost and Ecological Assessment and Emergence – Enfys Ecology dated 31/08/2021 V1**

Reason: For the avoidance of doubt.

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PS5, PCYFF1, PCYFF2, PCYFF3, PCYFF4, TAI13, TAI8, AMG5, TRA2, TRA4

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

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**Planning Committee:** 05/10/2022

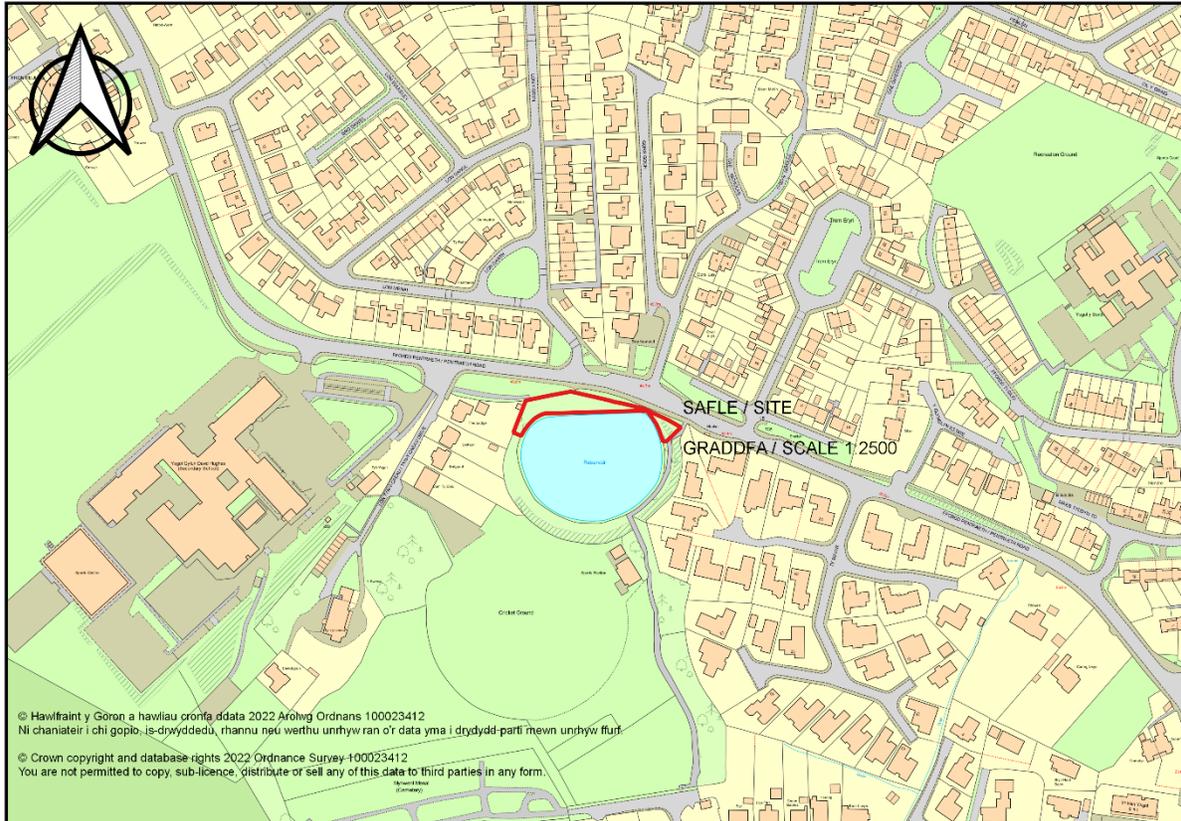
**12.1**

**Application Reference:** TPO/2022/16

**Applicant:** Head of Highways, Waste and Property

**Description:** Application for works to 6 trees protected by a Tree Preservation Order at

**Site Address:** Land between the reservoir and 30, Ty Mawr Estate, Menai Bridge



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

**Recommendation:** Permit

### Reason for Reporting to Committee

The site is managed by the Council's Property section and owned by the Local Authority.

### Proposal and Site

The trees are subject to Tree Preservation Order titled 'Old Reservoir' Menai Bridge, Ynys Mon' made in 1988. They are situated on land which is part of the northern embankment of the reservoir, located off the Pentraeth road in Menai Bridge.

The trees have recently been surveyed for reasons of ash dieback and six trees are proposed for felling due to their condition and their location near the footpath along the highway used by the public and children walking to Ysgol David Hughes.

### **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.

### **Policies**

#### **Joint Local Development Plan**

Technical Advice Note 10: Tree Preservation Orders (1997)

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

Consultations and publicity of TPO applications is discretionary. There has been no consultation or publicity for this application.

#### **Relevant Planning History**

39C557/TPO - Tree Preservation Order - Cais i dorri 1 coeden onnen, gostwng uchder 1 coeden onnen ynghyd a gwaith i 1 coeden sycamorwydden sydd wedi eu diogelu gan Orchymyn Diogelu Coed yn / Application to remove 1 ash tree, reduce 1 ash tree and works to 1 sycamore tree which are protected by a TPO - Cronfa Dwr, Porthaethwy/ Menai Bridge Reservoir

TPO/2019/16 - Cais i wneud gwaith ar goed sydd wedi ei warchod gan Orchymyn Diogelu Coed yn/ Application for works to trees protected by a Tree Preservation Order at Cronfa Dwr, Porthaethwy/ Menai Bridge Reservoir - Tynnwyd yn ôl / Withdrawn 8/10/2019

TPO/2019/17 - Cais i wneud gwaith ar 1 goeden a cwmpo pump coeden sydd wedi eu gwarchod gan Orchymyn Diogelu Coed yn / Application for works to 1 tree and the felling of 5 trees protected by a Tree Preservation Order at Cronfa Dwr, Porthaethwy/ Menai Bridge Reservoir – Caniatâu / Permit 10/12/2019

#### **Main Planning Considerations**

The application is accompanied by a report (TMM arboriculture) carried out on August 16<sup>th</sup> 2022 which has identified 6 trees with ash dieback and recommends felling of them due to their proximity to the footpath (used by the public and Ysgol David Hughes students) and highway.

Ash Dieback is a disease of ash widespread on Anglesey – it is predicted that it will infect and kill up to 95% of ash trees and all ash trees on this site are infected to some degree; however not all require work at this time.

The woodland surrounding the reservoir is visible from the Pentraeth Road providing a backdrop to the Ty Mawr estate in views on the approach from Menai Bridge. They enclose the public footpath, enhancing the mostly treed and wooded footpath link between this part of Menai Bridge and the cemetery and A5 below. The trees are managed by the Property section who need to ensure the safety of pedestrians on the footpath and highway and commission periodic safety reports for the site.

#### **Effects on public amenity**

The ash trees are visible among adjacent trees which are mostly sycamore, birch and willow. Their removal will have a negligible effect on public amenity i.e., viewpoints from the Pentraeth road and public footpath.

All works must be carried out the correct British Standard for tree works. No replacements are required as it is anticipated that some natural regeneration will occur within the woodland. However, there may be opportunities for replanting if repeated ash dieback work creates openings in the canopy and other site conditions and constraints permit.

### **Conclusion**

It is considered that the minor adverse amenity effects are justified by the reasons for the works i.e., the condition of the trees and the presence of ash dieback.

### **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.

### **Informative**

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: VAR/2022/48

Applicant: Susan Madine & Diane Broad

Description: Application under Section 73 for the variation of condition (04) of planning permission reference 45C260B (Full application for change of use of the existing building from A1 (retail) to mixed use A1 and A3 (retail and food and drink)) so as to change the existing opening hours at

Site Address: Madryn House, Pen Dref Street, Newborough



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

Recommendation: Refuse

Reason for Reporting to Committee

At the request of the Local Member.

Proposal and Site

The application site is a corner building situated on a crossroads in the centre of the settlement of Newborough. The building was previously used as a Class A1 building (post office) and was granted planning permission in January 2017 for a mixed use development comprising of A1 and A3 to be used as a café/hotfood takeway retailer. Condition (04) of the permission restricted the opening hours of the premises to 09:00 - 17:00 (Monday to Saturday and 10:00 - 16:00 on Sundays)

There is a mix of residential and commercial properties located in the immediate locality.

The application is to extend the opening hours to 08:00 - 23:00 7 days per week.

### **Key Issues**

The applications main issues are whether extending the opening hours will have a detrimental impact on the amenities of neighbouring properties.

### **Policies**

#### **Joint Local Development Plan**

Policy PCYFF 2: Development Criteria

Planning Policy Wales (Edition 11, February 2021)

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

<b>Consultee</b>	<b>Response</b>
Cynghorydd John Ifan Jones	Call-in due to local concerns
Cynghorydd Arfon Wyn	No response to date
Cyngor Cymuned Rhosyr Community Council	No response to date
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	No comments
Priffyrdd a Trafnidiaeth / Highways and Transportation	Dim gwrthwynebiad
Iechyd yr Amgylchedd / Environmental Health	No observations

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 19/08/2022. At the time of writing this report 8 letters of representation objecting to the application and 10 letters in support of the proposal had been received at the department. The main issues raised in objection to the proposal can be summarised as follows;

- i. Extending the opening hours would lead to youths hanging around the square.
- ii. Noise disturbance
- iii. Parking problems would be exacerbated if the hours of opening were extended.
- iv. External customer seating area blocks the pavement

Other personal comments have been received that are not material planning considerations.

The main issues raised in support of the application can be summarised as follows;

- i. The business is an asset to the small community
- ii. The business employs local people and the food served is locally sourced

Other issues raised include responding to the personal comments raised in the objection letters that are not material planning considerations.

Following receipt of the letters of objection the applicants have also submitted a letter in support of their application and provided the following information;

- i. Only business in the village that have opening hours restricted to 5pm.
- ii. Do not play loud music and customer general conversation is low
- iii. Parking problems exist in the village at present and the 2 car parks are poorly sign posted
- iv. Ensure that the pavements has clear pedestrian access

The applicant have also responded to the personal comments that are not material planning considerations.

### **Relevant Planning History**

45C62 – Change of use of ground floor bank into a shop at Midland Bank Premises, Newborough – Approved 28/8/87

45C62A – Change of use of ground floor bank into a flat at Midland Bank Premises, Newborough – Approved 28/8/87

45C62B – Change of use of ground floor bank into snack bar//café at Midland Bank Premises, NEWBOROUGH – Refused 28/8/87 (lack of parking)  
Site history adjoining land

45C260 – Change of use of dwelling into a hot food takeaway with self contained flat above at Yr Erw, Market Square, Newborough – Approved 26/10/99

45C260A/AD – Erection of a shop sign at Yr Erw, Market Square, Newborough – Allowed 14/06/00

46C260B - Full application for change of use of the existing building from A1 (retail) to mixed use A1 and A3 (retail and food and drink) at Madryn House, Newborough - Approved 30/01/17

45C260C/DIS - Application to discharge condition (02) (additional information with respect to extraction system) of planning permission 45C260B at Madryn House, Newborough - Condition discharged 13/09/17

FPL/2018/27 - Full application for the change of use of the first floor residential flat into arts.crafts gallery and shop (Class A1) as an extension to the existing ground floor shop and cafe at Madryn House, Newborough - Approved 14/05/19

ADV/2019/2 - Application for the siting of 2 non-illuminated signs at Flat, Madryn House, Newborough - Approved 10/04/19

### **Main Planning Considerations**

The applications main issues are whether the change in the opening hours will have a detrimental impact on the amenities of the neighbouring properties.

Policy Context – Policy PCYFF2 of the Joint Local Development Plan states that a proposal should demonstrate its compliance with;

1. Relevant policies in the plan;
2. National planning policy and guidance...

Additionally, planning permission will be refused where the proposed development would have an unacceptable adverse impact on:

7. 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 nuisances;...

**Impact on surrounding properties and surrounding area** – The application site is a corner property located on the crossroads in the centre of the village of Newborough. The immediate neighbouring property, located on Chapel Street is a 'Fish and Chip Shop' and the immediate neighbouring property located along Pendref Street. There are commercial premises located on the adjoining corners of the crossroads.

The Fish and Chip shop is open until 8:30pm in the summer and 7:30 in the winter and the convenience store situated on the opposite corner of Chapel Street/Pendref Street is open until 9 pm. There is also a public house which is located directly opposite the convenience store.

The property also utilises the external area to provide external seating area for customers.

The increase in the hours of opening of the premises until 11pm, 7 days per week in this location will have a high potential to result in increased noise levels to the immediate neighbourhood. The proposal would by reason of noise with the late night opening with customers socializing and the comings and goings of customers would inevitably result in noise and disturbance. In my opinion this would exacerbate the intrusion into the privacy of the occupiers of neighbouring dwellings.

### **Conclusion**

Extending the opening hours of the premises until 11pm cannot be supported as the proposal would by reason of noise and number of visitors to the establishment together with the use of the outside seating area would detrimentally affect the amenities of the neighbouring residential properties and is contrary to local and national policies.

### **Recommendation**

That the application is refused for the following reason:

(01) The local planning authority consider that extending the hours of operation will adversely affect the amenities of the occupants of nearby properties by reason of noise and general disturbance and is therefore contrary to Policy PCYFF2 of the Gwynedd and Anglesey Joint Local Development Plan.

Application Reference: FPL/2022/134

Applicant: Forest Lodge Properties Ltd

Description: Full application for conversion of the outbuilding into a 2 bedroom holiday let at

Site Address: Tithe Barn, Henblas, Llangristiolus



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

**Recommendation:** Permit

### Reason for Reporting to Committee

The application is presented before the planning committee at the request of local member Nicola Roberts who showed concern regarding the impact of holiday homes on the island and also stated the scheme warranted closer scrutiny due to the historic and local importance of the building.

### Proposal and Site

The site is located in the open countryside of the Llangristiolus area, with access to the site afforded via a private lane which also serves as means of access for a farm and the Henblas wedding facility. Special Landscape Area designation is given to the area and forms part of the Malltraeth Marsh and Surrounds designation. The site includes the recently converted Tithe Barn together with its associated garden and

drive area, along with the building subject to this application sited to the rear of the plot bordering with the open countryside beyond. The land rises slightly from the highway, before dropping again which mostly obscures view of the site from the highway and completely obscures the building subject to this application. The Tithe Barn itself is a Listed Building and therefore by virtue of being within the curtilage of a Listed Building, the structure subject to this application is also a Listed structure. The structure is in a poor state of condition and does not include a roof or any windows/doors. Historically, the building was used as a cottage and benefits from an extant permission to convert it into a garage under application VAR/2020/15.

This application is made to convert the derelict structure into a two bed holiday unit together with alterations and extensions thereto. The proposal seeks to retain the ruinous structure by utilising it as a cladding of sort, with a new structure erected within the walls to form the holiday unit. The existing structure will house the two bedrooms, while the extension will provision space for an open plan living area together with plant and store rooms.

### Key Issues

The key issues are if the proposal complies with the relevant policies of the Joint Local Development Plan and if the design of the proposal is acceptable in the context of the adjacent Listed Building.

### Policies

#### Joint Local Development Plan

Policy PCYFF 1: Development Boundaries  
 Policy PCYFF 2: Development Criteria  
 Policy PCYFF 3: Design and Place Shaping  
 Policy PCYFF 4: Design and Landscaping  
 Policy AT 2: Enabling Development  
 Strategic Policy PS 20: Preserving and where Appropriate Enhancing Heritage Assets  
 Policy AMG 2: Special Landscape Areas  
 Policy AMG 5: Local Biodiversity Conservation  
 Policy TWR 2: Holiday Accommodation

### Response to Consultation and Publicity

Consultee	Response
Cyngor Cymuned Llangristiolus Community Council	No response.
Cynhorydd Geraint Ap Ifan Bebb	No response.
Cynghorydd Nicola Roberts	Called to committee
Prifffyrdd a Trafnidiaeth / Highways and Transportation	No objection.
Dwr Cymru Welsh Water	No objection.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Satisfied with amended ecology survey.
Iechyd yr Amgylchedd / Environmental Health	Standard informatives.
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	TWR 2 is the relevant policy.

Ymgynghorydd Tirwedd / Landscape Advisor	Conditions.
Ymgynghorydd Treftadaeth / Heritage Advisor	LBC application recommended for approval.
GCAC / GAPS	Condition.

Publicity was afforded to the scheme by the posting of personal letters to occupiers of neighbouring properties together with the placing of an advert in the local press. The latest date for representations to be made was the 29/06/2022. At the time of writing this report, no letters of objection had been received at this department.

### Relevant Planning History

VAR/2020/15 - Cais o dan Adran 73 i amrywio amod (03)(Bydd y datblygiad a ganiateir dan y caniatad yn cael ei weithredu yn unol a'r cynlluniau a gymeradwywyd) o ganiatâd cynllunio rhif 36C49H (Newid defnydd ysgubor yn annedd, addasiadau ac estyniadau i'r hen fwthyn diffaith i mewn i garej ynghyd â gosod tanc septig) er mwyn diwygio dyluniad yn / Application under Section 73 for the variation of condition (03) (The development permitted by this consent shall be carried out in strict accordance to the plans submitted) of planning permission reference 36C49H (Change of use of barn into a dwelling, alterations and extensions to the former derelict cottage into a garage together with the installation of a septic tank) so as to amend design at - Tithe Barn, Henblas, Bodorgan - [object Object] - Caniatáu / Permit

FPL/2021/103 - Cais llawn ar gyfer trosi yr adeilad allanol yn annedd ynghyd a datblygiadau cysylltiedig yn / Full application for the conversion of outbuilding into a dwelling together with associated development at - Tithe Barn, Llangristiolus - [object Object] - Gwrthod / Refused

36C49H - Full Planning - Cais llawn ar gyfer newid defnydd yr adeilad allanol i annedd yn / Full application for the conversion of the outbuilding into a dwelling at - Tithe Barn, Henblas, Bodorgan.

### Main Planning Considerations

#### Principle of Development

Policy TWR 2 is the relevant policy of the JLDP to be considered when assessing conversion schemes. TWR 2 supports conversion of existing buildings into holiday accommodation providing *'they are of a high quality in terms of design, layout and appearance and that all the following criteria can be met:*

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

The 'Replacement Dwellings and Conversions in the Countryside' Supplementary Planning Guidance provides further guidance in relation to TWR 2. In relation to criterion ii. of TWR 2, the SPG provides guidance on what is considered 'appropriate scale' as part of conversion schemes. Section 8 of the SPG states that buildings proposed for conversion should be suitable for the proposed use and not require extensive rebuilding or any large extensions. Any extensions should be small and not an aspiration to add luxury. It is noted that the scheme proposes a significant level of rebuilding together with a comparatively large extension which equates to a 150% increase in floor area.

Policy AT 2 of the JLDP 'Enabling Development' aims to secure the preservation and/or alternative use of a listed building providing the following (relevant) criteria are met:

1. It will not materially harm the heritage values of the heritage asset or its setting

3. It will secure the long-term future of the heritage asset and, where applicable, it's continued use for a sympathetic purpose.
6. It is demonstrated that the amount of enabling development proposed is the minimum necessary to secure the future of the heritage asset, and that it causes minimal harm to other public interests.

The design of the scheme is considered acceptable by the local authority Heritage officer and it is not considered that the proposal would be detrimental to the setting of the Tithe Barn. The scheme will secure a viable use for the structure which ensures its future in a sympathetic manner. Whilst the extension is large in comparative terms, in absolute terms it is considered small in size at 48m<sup>2</sup> floor area. The total floor area for the unit will be 80m<sup>2</sup>. Purely for context, TAI 5 sets out 90m<sup>2</sup> as the maximum floor area for a single storey 2 bedroom dwelling. Whilst TAI 5 is not relevant, it is a useful point to illustrate that the extension is the minimum necessary to secure the future of the asset as required by point 6.

Whilst the scheme may not effectively conform with policy TWR 2, it is considered that holiday use is the most acceptable use in line with enabling development and other policies of the JLDP. The structure does have extant permission for use as a garage, however it is considered holiday accommodation is a more sympathetic use to the historic use of the structure as a cottage. This view was also shared by the Council for British Archaeology, who made the following comments on the accompanying Listed Building Consent application '*the domestic use is more sympathetic to the site's heritage than converting the ruin into a garage and store.*'

### **Design**

The structure is located within the curtilage of a Listed Building and therefore the design of the scheme is a primary consideration in order to ensure the character and distinctiveness of the historic asset is retained. The stone remains of the building will be retained and re pointed which will appear as a cladding, with dark cladding and sheeting used for the new structures. This design was considered acceptable by the local authority heritage officer. Policy PS 20 of the JLDP requires that Proposals preserve and where appropriate enhance the heritage assets, their setting and significant views into and out of the building/area. It is considered that the scheme achieves this and thus conforms with PS 20.

### **Ecology**

Under policy AMG 5 of the JLDP and the councils duty under The Environment Wales Act (2016), all proposals are expected to demonstrate a net gain to biodiversity. Owing to the ruinous state of the structure, the ecology survey submitted alongside the application identified limited opportunities for protected species such as bats to use the building, but none the less, the scheme proposes several ecological enhancement features.

### **Conclusion**

The scheme does not effectively conform with the relevant holiday accommodation policy of the JLDP, however in line with policy AT 2 it is considered that the scheme is acceptable on planning balance as it will secure the future use of structure and retention of the historic asset.

### **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.**

- Site Location Plan / 20-205-100 A
- Proposed Floor Plans and Elevations / 20-205-120 F
- Site Plan - As Proposed / 20-205-110 E

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

**(03) No development (including clearance, stripping out or demolition) shall take place until a photographic survey of the buildings has been undertaken in accordance with the *Gwynedd Archaeological Planning Service Requirements for General Photographic Surveys of Buildings*, and the survey has been submitted to and approved in writing by the Local Planning Authority.**

Reason: To ensure that an adequate record is made of all structures affected by the proposals and that the record is held within the public domain for future reference and research.

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

Reason: To define the scope of this permission.

**(05) No development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained. Soft landscape works shall include planting plans; written specifications; schedules of plants noting species and proposed numbers/densities where appropriate.**

Reason: In accordance with policies AMG 5 (biodiversity enhancement) and PCYFF 4 (visual amenity) of the Joint Local Development Plan.

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

Reason: In accordance with policies AMG 5 (biodiversity enhancement) and PCYFF 4 (visual amenity) of the Joint Local Development Plan.

**(07) 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 development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF 1, PCYFF 2, PCYFF 3, PCYFF 4, AT 2, PS 20, AMG 2, AMG 5, TWR 2.

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/2022/62**

**Applicant:** Director of Education, Skills and Young People

**Description:** Application to discharge condition (02a) (Archaeological), (07) (Biosecurity Risk Assessment) and (17) (Construction Management Plan) of planning permission FPL/2021/361 (erection of a new foundation phase and child care unit) and MAO/2022/16 (Minor amendments) on land adjacent to

**Site Address:** Ysgol Y Graig, Ffordd y Coleg, Llangefni



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

**Recommendation:** Condition Discharged

**Reason for Reporting to Committee**

The application is on council owned land.

**Proposal and Site**

This is an application to discharge condition (02a) (Archaeological), condition (07) (Biosecurity Risk Assessment) and condition (17) (Construction Management Plan) of planning permission FPL/2021/361

(erection of a new foundation phase and child care unit) and MAO/2022/16 (Minor amendments) on land adjacent to Ysgol y Graig, Llangefni.

### **Key Issues**

The key issue is whether the statutory consultees are satisfied that the information submitted is sufficient to discharge the conditions.

### **Policies**

#### **Joint Local Development Plan**

Policy AT4 – Protection of non-designated archaeological sites and their settings  
Policy TRA4 – Managing Transport Impacts  
Strategic Policy PS19: Conserving and Where Appropriate Enhancing the Natural Environment  
Policy AMG5 – Local Biodiversity Conservation

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

<b>Consultee</b>	<b>Response</b>
GCAG / GAPS	Satisfied with the information and confirmed that the condition could be discharged.
Priffyrdd a Trafnidiaeth / Highways and Transportation	Satisfied with the information submitted and confirmed that the condition could be discharged.
Cyfoeth Naturiol Cymru / Natural Resources Wales	Natural Resources Wales have confirmed that they are satisfied with the information submitted.

There was no requirement to carry out publicity as part of this planning application.

### **Relevant Planning History**

FPL/2021/361 - Full application for the erection of a new foundation phase and child care unit, external play areas, car park and associated work on land adjacent to - Ysgol y Graig, Llangefni – Permit 7/7/22

MAO/2022/16 - Minor amendments to scheme previously approved under planning permission FPL/2021/361 (erection of new foundation phase unit) so as to allow the re-wording of conditions (07) (biosecurity risk assessment), (17) (construction traffic management plan), (18) (landscaping), (20) (pedestrian paths) and (21) (landscape) on land adjacent to - Ysgol y Graig, Llangefni – Permit 27/7/22

### **Main Planning Considerations**

Planning permission was granted under planning application FPL/2021/361 for the erection of a new foundation phase and child care unit on land near Ysgol y Graig, Llangefni. A minor amendment application was later submitted under MAO/2022/16 to make slight changes to the wording of some of the original conditions.

Condition (02) (a) of Planning application FPL/2021/361 requested the applicant provide a specification for a programme of archaeological work for the site.

A Written Scheme of Investigation for Archaeological Mitigation has been received from the applicant and Gwynedd Archaeological Planning Service has confirmed that they are satisfied with the information and confirmed that condition (02) (a) can be discharged.

Condition (07) of MAO/2022/16 stated that the applicant would need to provide a site-wide Biosecurity Risk Assessment (particularly Montbretia). The risk assessment would need to include measures to control, remove or long-term management of invasive species during construction and operation.

An Invasive Species Survey has been carried and Natural Resources Wales has confirmed that they are satisfied with the information submitted and the condition can be discharged.

Condition (17) of MAO/2022/16 stated that the applicant would need to provide a Construction Traffic Management Plan (CTMP) for the development. The CTMP has been submitted with the planning application and the Highways Authority has confirmed that they are satisfied with the information and the condition can be discharged.

### **Conclusion**

Sufficient information has been received to discharge conditions (02) (a) (Archaeological Mitigation), (07) (Biosecurity Risk Assessment) and (17) (CTMP).

### **Recommendation**

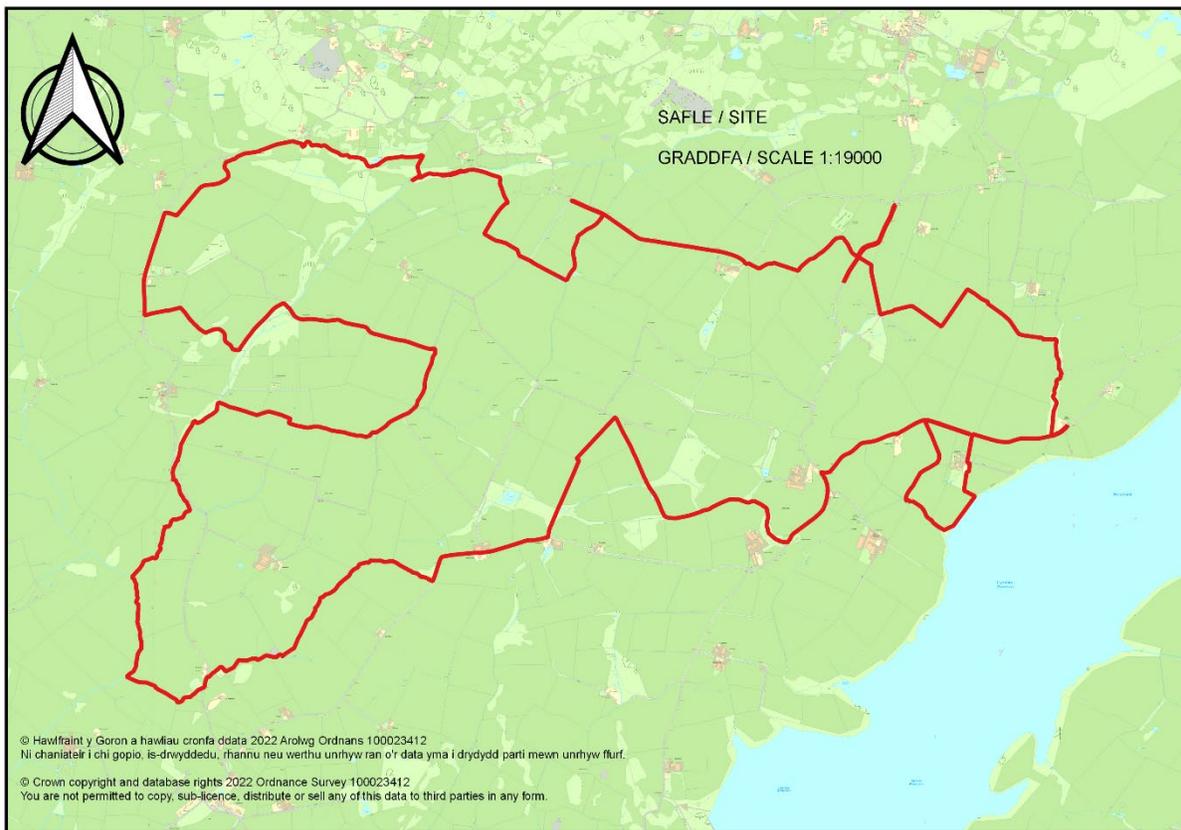
That the application is permitted

**Application Reference: VAR/2021/65**

**Applicant: Ventient Energy Limited**

**Description:** Application under Section 73 for the variation of conditions 13 and 14 of planning permission reference 47C74 Erection of 34 wind turbines which shall measure 53 metres in total height with the construction of access tracks and ancillary developments to include transformers, a sub-station and three anemometer masts on land to the North of Llyn Alaw so as to extend the operational phase until 22/10/2032, extend the decommissioning period to 12 months and clarification regarding the period wind turbines shall be decommissioned if it fails to produce continuous electricity at

**Site Address: Llyn Alaw Windfarm, Llanbabo**



**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 13 and 14 of planning permission 47C74. Condition 13 relates to the time in which the turbines shall be sited on the land whilst condition 14 relates to removal of the turbines from the land.

Planning Permission 47C74 was approved on 19/12/1996 and gives permission for the construction of 34 wind turbines on land at Llyn Alaw, Carreglefn.

The application seeks to vary conditions 13 to allow the operational phase of the turbines for a further period of 10 years up to 22.10.2032. Subsequently, the application also seeks to vary condition 14 to extend the period where the wind farm needs to be decommissioned (except for the substation) 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 of the Llyn Alaw reservoir and is characterised by undulating topography and open fields which 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.

The Llyn Alaw Wind Farm became fully operational on the 23rd October, 1997 and consists of 34 turbines with a tip height of 53 meters, 31 meter hub height, 44 meter rotor diameter with a totally installed capacity of 20.4 megawatt (MW). The structures are positioned in clusters and scattered across the 1,197 hectare<sup>2</sup> application site.

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 extending the operational phase 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 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  
 Anglesey County Council Supplementary Planning Guidance - Onshore Wind Energy Guidance  
 Anglesey County Council Supplementary Planning Guidance - Maintaining and Creating Distinctive and Sustainable Communities

### National Policy

Planning Policy Wales (Edition 11, February 2021)  
 The Planning (Wales) Act 2015  
 Well-Being of Future Generations (Wales) Act 2015  
 Future Wales: The National Plan 2040  
 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
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Policy comments within main core of the report
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Condition Proposed to ensure Ecological Enhancement
Priffyrdd a Trafnidiaeth / Highways and Transportation	No Objection
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 and residential receptors.
Wales and West Utilities	No Response
Cadw Scheduled Monuments	No Objection
GCAG / GAPS	No Objection
Cyfoeth Naturiol Cymru / Natural Resources Wales	Conditions proposed to safeguard protected species and nearby Site Special Scientific Interest
Ymgynghorydd Treftadaeth / Heritage Advisor	No Objection
Iechyd yr Amgylchedd / Environmental Health	Noise Conditions proposed to safeguard nearby residential properties
Diogelu – Y Weinyddiaeth Amddiffyn / MOD Safeguarding	No Response
Scottish Power Energy Networks	No Response

Uned Datblygu Economaidd / Economic Development Unit	No Response
Gwasanaeth Tân Gogledd Cymru /North Wales Fire Service	No Response
RSPB Cymru / Wales	No Response
Arquiva Ltd	No Response
North Wales Wildlife Trust	No Objection
Swyddog Llwybrau Troed / Footpaths Officer	No Response
North Wales Police Headquarters	No Response
National Grid	No Response
Cynghorydd Llinos Medi Huws	No Response
Cynghorydd John Griffith	No Response
Cynghorydd Kenneth P. Hughes	No Response
Cyngor Cymuned Tref Alaw Community Council	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 04/10/2021. At the time of writing this report, no letters of representation had been received.

### **Relevant Planning History**

47C74 - Erection of 34 wind turbines which shall measure 53 metres in total height with the construction of access tracks and ancillary developments to include transformers, a sub-station and three anemometer masts – Approved 19/16/1996

SCO/2020/2 - Scoping opinion for extending the temporary planning permission so as to extend the operational life of the development by an additional 10 years – Advice Given – 24/07/2020

### **Main Planning Considerations**

The application seeks to extend the operational life of the Llyn Alaw wind farm by a further period of 10 years to 25 years, 35 years from the point of first generation which will expire on the 23th October, 2032. The application confirms that the applicant has submitted the application in an effort to maximise the wind farm's generating potential and that 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 13 of the permission requires that the turbines are removed from the site within 25 years of a written notification to the Regional Electricity Company of the commencement of power generation by all the wind turbines comprised in the development or within 9 months of the wind turbines permanently ceasing to generate power.

Condition 14 of the permission requires that within 9 months of the implementation of condition 13 that all the wind turbines together with any ancillary equipment (except the site substation) shall be dismantled down to ground level and the land reinstated to a condition suitable for the grazing of animals. . The application seeks permission to extend the decommissioning period of the Wind Farm from 6 to 12 months, which is in line with recent similar repowering consent at Rhyd y Groes Wind Farm and

Trysglwyn Wind Farm life extensions. In the event that a wind turbine ceases to operate for a continuous period of 9 months, the turbine shall be dismantled down to ground level and removed from the land.

There would be no additional construction works proposed as part of varying both conditions 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 get 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 by the Council on the 24/07/2020.

The aim of the ES that supports the application is to protect the environment and ensuring that, the Local planning Authority have all the necessary information required when deciding whether or not to grant planning permission for a project which is likely to have significant effects on the environment. In the event consent is granted the Local Authority does so in the full knowledge of the likely significant effects, and takes this 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 the content of the ES submitted is reflective of the Scoping Opinion provided by the Council.

When assessing the 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 sets the context for the assessment of the potential impact of proposals upon the Welsh language and culture and confirms the need for development to promote and support the use of 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, in line with the Anglesey County Council Maintaining and Creating Sustainable and Sustainable Communities Supplementary Planning Guidance (SPG).

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 Distinctive and Sustainable Communities.

#### **Landscape:**

Chapter 6 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 assists with the assessment.

The LVIA confirms that the Llyn Alaw Wind Farm, is already and established component of the current landscape and acts as a visual baseline, having been operational for over 23 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 planning application. Although harm to the landscape was acknowledged as part of the assessment, it was concluded that ... 'the benefits of providing renewable energy resources would, in this instance be, outweighed by the damage to the landscape'.

Notwithstanding the decision to approve the original application, as part of the scoping opinion the Local Authority requested that the assessment of the effect of the proposed extension on landscape and views be carried out against a 'future baseline' scenario as though the Llyn Alaw wind turbines had already been removed from the site and were being added back into the landscape and views for a further period of 10 years. The study area for the LVIA was set at 10km radius from the turbines and is considered to be an appropriate distance within which any significant effects would have potential to occur.

The assessment considered the effects of the proposed extension on landscape character, on views from 12 representative viewpoints which was agreed with the Council 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.

### **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 northern half of LCA 5, North West Anglesey. Several elevated viewpoints within other landforms such as Mynydd Bodafon and Mynydd Parys are contained within the visual assessment.

As identified in the Landscape Sensitivity and Capacity Assessment (LSCA), the overall sensitivity to this wind energy developments is medium, with increasing sensitivity on areas adjacent to the Area of Outstanding Natural Beauty AONB and the Mynydd Mechell SLA.

While natural and built features means that theoretical visibility is reduced on site, and influence decreases away from the site (moving to the south west), the windfarm would remain the dominant windfarm within the LCA (North West Anglesey) and local landscape character.

Effects on the remaining LCAs within the study area, namely LCA 6: Amlwch and Environs, LCA 8: Dulas Bay Hinterland and LCA: North West Anglesey, 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 significant effects on character types removed.

The site is wholly within LANDMAP Visual and Sensory Aspect Area: Drumlins with windfarms (YNSMNVS010) 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:**

An assessment upon the AONB was scoped out as part of the scoping opinion. Nevertheless several viewpoints have been taken from within the AONB. None are assessed as significant and it is not considered that the proposal would harm either of the AONB special qualities of expansive views or peace and tranquillity.

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

The windfarm was permitted in 1996, with the application submitted in 1994 prior to the Ynys Môn local plan, which defined all the island outside of the AONB as a Special Landscape Area (SLA). SLAs were reviewed in 2012 and Mynydd Mechell SLA borders the site boundary with the nearest wind turbines some 600m away from the boundary.

The SLA description notes that wind turbines from outside the SLA form occasional modern detractors on the horizon and threaten the highly rural, naturalistic qualities of the landscape.

VP5 is from the SLA's southern slopes with the windfarm noted as significant in the view. Viewpoint 6 is from further to the north where effects are assessed as not significant. Views from the SLA are not noted among the SLA's special qualities and the proposal would not have a significant effect on its special qualities.

### **Visual effects:**

The ES addendum has included an assessment on residential visual amenity (RVAA). 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 assessment has considered relevant factors and the probability of a property becoming an unattractive place to live as the result of the potentially overbearing effects of a proposal as outlined within policy ADN 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 considers the visual component of residential amenity and the impact upon living conditions of nearby residents.

. The assessments acknowledges 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 dwellinghouses 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 12 properties within a 600m trigger distance, seven were considered to experience significant effects, of these three experienced these effects from both the property and curtilage, two from the curtilage only and two from the property only. The assessment concludes that effects were not overbearing.

Since the original decision, two separate conversion schemes have been approved within the vicinity. These approved residential units are located within close vicinity to nearby existing dwellinghouses which were assessed as part of the original approval together with the current application. It is therefore considered the proposed dwellinghouse 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 the effects on nearby settlements. An assessment on the effects on the settlement of Carreglefn and properties to the south of the settlement were deemed not significant. It was considered that much of the settlement does not have complete views of the windfarm. Notwithstanding the assessed effect on the whole settlement, groups of properties, may experience localised significant effects.

The other settlements within the 5km area for assessment (Llanrhyddlad and Llanfaethlu) would not experience significant effects.

With respect to public footpaths, one footpath crosses the site's northern boundary and would experience significant effects. Significant effects were predicted to a group of 5 footpaths to the north within a 2km radius which although initially intermittent, open up to provide longer duration and more substantial views of the site. To the immediate south the footpath that provides a pedestrian link would not experience significant effects and effects on a group of a further six footpaths to the south would not be significant.

No significant effects were predicted to either the national or local (copper trail) cycle routes. No significant effects were either identified on the A5025. Minor roads are not considered within the assessment due to 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 within a range of 1.5 kms.

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:**

Three cumulative wireframe visualisations have been carried out from several viewpoints. Since the original consent the Ysgellog turbines have been constructed. Rhyd y groes, Trysglwyn and Wylfa would have been part of the original baseline with consent given since for repowering at Rhyd y Groes and an extension at Trysglwyn. Two Developments of National Significance (Alaw Môn 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.

The projects considered extend over a number of LCAs and the main cumulative identified where additional windfarms / turbines could merge and views available in multiple opposite directions. The assessment addresses the combined effects of the application with Trysglwyn, Rhyd y Groes and Ysgellog. 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.

Llyn Alaw is located in an area where other potentially significant energy schemes are proposed within the area where significant effects are assessed at least up to 2km such that each proposal may reinforce these significant effects. The life span of the proposed solar arrays greatly exceed the proposed 10 year extension, such that the Wind Turbine Group (WTG) would be a feature in the early years of these schemes, should any be approved.

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 the new projects have capacity to bring about landscape change, such that it becomes a distinct element of local landscape character and relevant to National Policy considerations.

#### Cumulative Visual Effects:

The above mentioned DNS projects are not considered in the assessment and localised significant in-combination or sequential cumulative visual effects could result from these projects. The life span of the proposed solar arrays greatly exceed the proposed 10 year extension, such that the WTG would be a feature in the early years of these schemes, should they be approved.

#### **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 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, although significant cumulative effects with DNS Solar Array proposals may occur during the early life of these proposals, cumulative effects with respect to other developments 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 and residential receptors.

#### **Ecology and Ornithology:**

Detailed information regarding ecology and ornithology has been included within Chapter 8 of the ES Addendum. The application site is not located within any ecological or ornithological designations, although Llyn Alaw Site of Special Scientific Interest (SSSI) is within 750m of the closest turbine. The impact of the development has been assessed by specialist officers within the Authority together consultation taken place with Natural Resources for Wales (NRW).

The site supports primarily agricultural habitat, with the majority of the habitat present being improved grassland used for stock grazing. There are also arable habitats present, and occasional blocks of woodland, scattered scrub and species poor hedgerow. 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
- Bird Carcasses 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 site specific decommissioning plan which will include methods to ensure habitats and species will be protected.

The ES Addendum includes an Operational Monitoring Report for birds and bats. 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 to be undertaken for two consecutive years (one year has already been undertaken). 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) a Ecology Enhancement Action Plan has also 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 comprises of archaeological, built heritage and historic landscape sites, are an identifiable component of the historic environment. Designated historic assets consists of Schedule Monuments, Listed Buildings, Conservations Areas, World Heritage Sites and Protected Wrecks.

Chapter 9 of the ES addendum assess the potential effect upon the significant 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 archelogy 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 (ZTW) 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 register landscape of outstanding historic value and two conservations areas. Within the 1km search area for undesignated assets, 35 were identified. Once these ZTW was applied, the number of assets were reduced.

It was concluded that three of the identified assets had neutral residual effects whilst three experienced minor adverse effects. No effects have been identified which are considered 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 Trysclwyn Wind Farm Life Extension. No significant cumulative effects were identified arising from the Llyn Alaw 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 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. He is in agreement with the findings of the submitted assessment on cultural heritage in that extending the life of the wind farm would only result in minor impact upon the setting of the three listed in the vicinity. Consequently, there are no significant built heritage concerns.

It is acknowledged that there would be some effects upon the significance of historic assets arising from 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 ADN 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.

The impact upon the amenity of surrounding properties were taken into consideration as part of the original application. A legal agreement was attached to the permission which contained covenants relating to noise. These were in place to ensure that the level of noise emitted from the turbines did not cause a detrimental impact upon the amenity of nearby residential properties.

As previously noted, since the original decision, two separate conversion schemes have been approved within the vicinity. These approved residential units are located within close vicinity to nearby existing dwellinghouses which were assessed as part of the original approval together with the current application.

Public Protection were consulted as part of the application and have re-assessed the impact of the development upon residential properties taking matters such as noise and shadow flicker into consideration.

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 noise complaints (other than equipment which require maintenance) or shadow flicker 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 raised no objection to the application subject to a noise controlling condition being imposed on any planning consent.

It is considered that the proposal will not result in significant harm to the safety or amenity of sensitive receptors including effect from noise.

### **Traffic and Transport:**

Since the wind farm is operational 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 as part of any approval.

### **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 a further period of 10 years. 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 £42,000 per annum (£2,062 per MW index linked). As part of the current proposal the applicant seeks to increase the community benefit fund to £3,000 per MW from when the current consent expires. The money is dispersed between Tref Alaw, Llannerch-y-medd and Mechell Community Councils who will then be responsible for administering the funds as per the existing arrangement.

Examples of spend of the fund money which has benefitted the communities includes providing funding towards a local community centre, children's play area, benches within local villages, maintaining local cemetery's together with supporting local football and bowling clubs.

It is considered that by extending the operational life of the wind farm there will be increased and local benefit 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. In addition, a legal agreement would also be in place to ensure a financial commitment to the Council to ensure that the cost of decommissioning will be paid to the Council if the developer defaults on the decommissioning.

### **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 heritage and biodiversity subject to adequately worded conditions.

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 the Lyn Alaw Wind Farm, is already an established component of the current landscape and acts as a visual baseline, having been operational for a period of 25 years.

The key considerations in determining the application 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 the proposal in terms of additional renewable energy generation over a period of further 10 years outweighs the impact upon the landscape as outlined in the ES addendum. The proposed development will also provide additional socio economic benefits, including local community benefit in the form of a Fund. Planning permission will be subject to the imposition of adequately worded conditions to ensure that the turbine will be decommissioned to ensure satisfactory restoration of the land following the 10-year extension.

## **Recommendation**

To approve the application subject to conditions and a legal agreement requiring a bond to be put in place to ensure that an appropriate fund is in place to guarantee the cost of decommissioning and a conditional promise that the money will be paid to the Council to fund the work if the developer defaults on the decommissioning.

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

**Planning Statement – August 2021**

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

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

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

**Environmental Statement Addendum: Volume 1 Appendix**

**Ecological Enhancement Action Plan – 20/05/2022 – 1258623**

**Site Location – GB202153\_M\_011\_A**

**Site Layout – GB2020153\_M\_010\_A**

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 31 meters and a rotor diameter not exceeding 44 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 22/10/1997. The expiry is therefore 22/10/2032.**

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 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 Distinctive 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 rating level of noise immissions resulting from the combined effect of the Wind Turbines (including the application of any tonal penalty) when determined in accordance with these conditions shall not be exceeded:**

**(a) At those dwellings listed in Table 1 attached to these Conditions, the values at the relevant wind speeds set out in Table 1.**

**(b) At those dwellings listed in Table 2 attached to these Conditions, values which are 35 dB LA90, 10 minutes, or the background LA90, 10 minutes level plus 5 dB, whichever is greater.**

**(c) At all other dwellings which are lawfully existing or has planning permission prior to 19th December 1996, values which are 43 dB LA90, 10 minutes at 8 metres per second (m/s) wind speed at hub-height as determined within the site averaged over 10-minute periods.**

**ii. Where the noise immissions at the location or locations where compliance measurements are being undertaken contain or are likely to contain a tonal component, a tonal penalty is to be calculated and applied. Any deviations from the standard procedure, as described in Section 2.1 of pages 104-109 of ETSU-R-97, shall be reported.**

**iii. Values of the LA90,10 minute noise statistic should be measured using a sound level meter of EN 60651/BS EN 60804 Type 1, or BS EN 61672 Class 1 quality (or the equivalent UK adopted standard in force at the time of the measurements) set to measure using the fast time weighted response as specified in BS EN 60651/BS EN 60804 or BS EN 61672-1 (or the equivalent UK adopted standard in force at the time of the measurements). This should be calibrated in accordance with the procedure specified in BS 4142: 1997 (or the equivalent UK adopted standard in force at the time of the measurements). The microphone should be mounted at 1.2 – 1.5 metres above ground level, fitted with a two-layer windshield or suitable equivalent. Measurements should be made in “free field” conditions. To achieve this, the microphone should be placed at least 3.5 metres away from the building facade or any reflecting surface except the ground at the measurement location. If the calculation of a tonal penalty is required as specified in Paragraph ii., a tonal assessment shall be performed on noise immissions during 2 minutes of each 10 minute period on valid and uncorrupted data.**

**iv. The noise measurements shall be made so as to provide not less than 20 valid data points, excluding those which occurred during periods of rainfall measured in the vicinity of the sound level meter. For those data points considered valid, values of the LA90, 10 minutes noise measurements and corresponding wind speed at hub-height as determined within the site averaged over 10-minute periods, shall be plotted on an XY chart with noise level on the Y-axis and the wind speed on the X-axis. A least squares, “best fit” curve of an order deemed appropriate by the independent consultant (which may not be higher than a fourth order) should be fitted to data points and define the wind farm noise immissions at each relevant wind speed. If the rating level of noise immissions measured in accordance with Paragraph ii. and iii., exceeds the levels referred to or specified in Paragraph i. of these Conditions then the contribution of background noise to the level of noise immissions shall be measured, and used for adjustment.**

**(a) Such background noise levels shall be measured using an LA90 index over a minimum of 6 periods each of 10 minutes duration in accordance with the requirements of paragraph iii. of these Conditions.**

**(b) Such measurements shall be made during a period of further measurements of noise from the combined effect of the Wind Turbines (made in accordance with the requirements of paragraph iv. of these Conditions).**

**(c) A correction using 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 any subsequent revision) shall be applied to the measured noise levels to determine the contribution of background noise to the overall levels measured when the Wind Turbines are operating.**

v. The measurements made in accordance with Paragraph ii. and iii., shall be plotted as a least squares, “best fit” curve adjusted for the contribution of background noise in accordance with Paragraph iv., to define the rating level of noise immissions resulting from the combined effect of the Wind Turbines (including the application of any tonal penalty). If this rating level of noise immissions at any of the hub-height wind speeds set out in Table 1 lies at or below the values set out in the Tables attached to this Condition then no further action is necessary. If this rating level of noise immissions at any of the hub-height wind speeds set out in Table 1 exceeds the values set out in the Tables attached to this Condition then the development fails to comply with the Conditions.

**See Table Below**

Reason: To safeguard residential amenity

**(10) Operational monitoring of bats and bird species shall be undertaken for three operational years in line with the methods already used in 2020 and agreed with Natural Resources Wales. Surveys undertaken in 2020 are considered operational year one. Annual monitoring reports shall be submitted to the local planning authority for review within three months.. After three years, unless results dictate a review required prior to this period, the monitoring plan will be reviewed and if further mitigation is considered necessary this will be discussed and agreed with the Local Planning Authority in consultation with Natural Resources Wales.**

Reason: To safeguard protected species.

**(11) No later than 6 months from the date of this permission, threshold levels for the implementation of bat and bird mitigation shall be submitted and approved in writing by the Local Planning Authority. Bird species to be considered are restricted to those listed on Annex 1 of the Bird Directive and / or identifies 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 and approved in writing 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.

**Table 1: Dwellings Associated with Development**

Dwelling name		Wind Speed at Hub Height (m/s) as Determined Within the Site Averaged over 10-minute Periods																
		4.0	4.5	5.0	5.5	6.0	6.5	7.0	7.5	8.0	8.5	9.0	9.5	10.0	10.5	11.0	11.5	12.0
Ty'n-y-rhos 237490, 388010	Noise Criterion dB LA90, 10 minute	35.0	35.0	35.0	35.2	36.2	37.5	38.9	40.5	41.9	43.1	44.4	46.0	47.5	48.9	50.3	51.5	52.7
Brwynog 235380, 386690	Noise Criterion dB LA90, 10 minute	35.0	35.0	35.0	35.0	35.1	36.4	37.9	39.4	40.9	42.1	43.1	44.0	44.7	45.3	45.9	46.3	46.6
Fferam-gyd 237845, 387050	Noise Criterion dB LA90, 10 minute	35.0	35.0	35.0	35.0	35.0	35.0	36.3	37.8	39.2	40.5	41.5	42.3	43.1	43.7	44.3	44.6	44.9

**Table 2: Dwellings not Associated with Development: Table of Prevailing Background Noise Levels dB LA90, 10 minute**

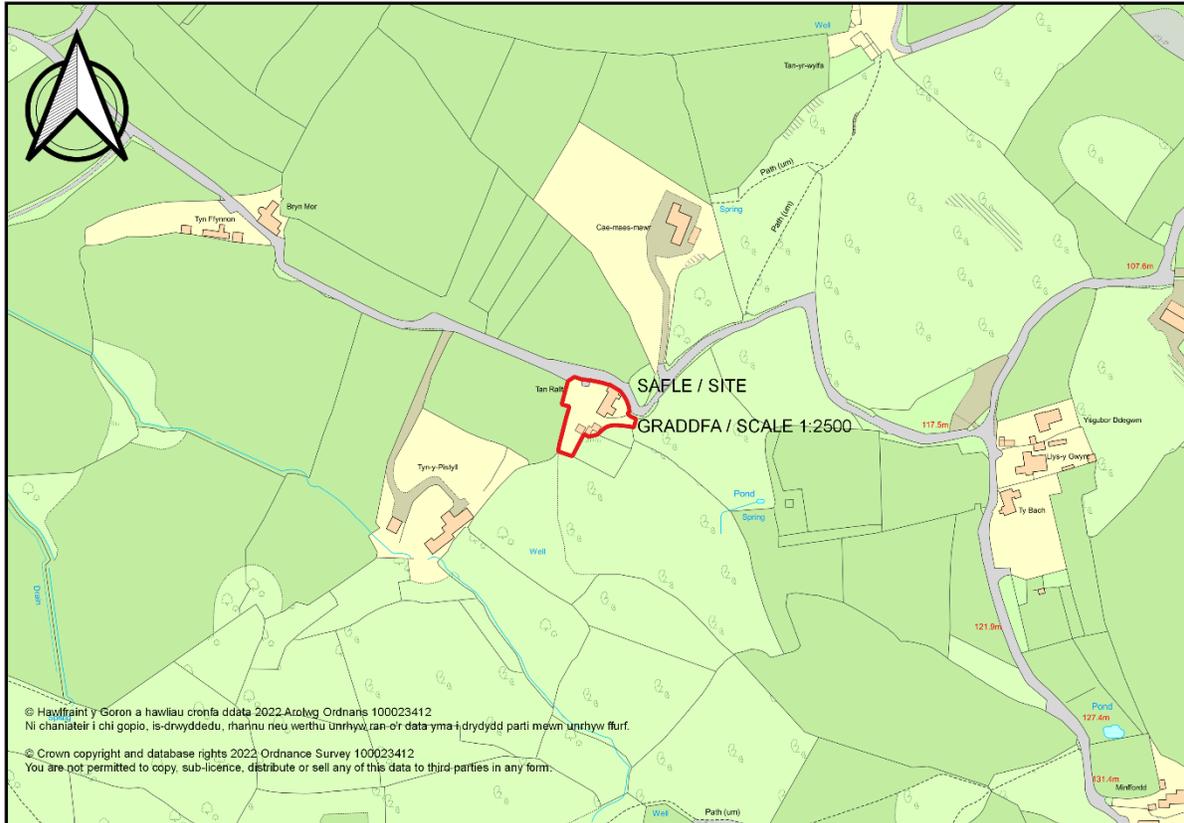
Dwelling name	Grid Reference	Wind Speed at Hub Height (m/s) as Determined Within the Site Averaged over 10-minute Periods																
		4.0	4.5	5.0	5.5	6.0	6.5	7.0	7.5	8.0	8.5	9.0	9.5	10.0	10.5	11.0	11.5	12.0
Ty'n-y-maen	236890, 386715	23.8	23.4	23.6	24.4	25.5	26.9	28.5	30.4	32.1	34.2	36.1	38.0	39.8	41.5	43.1	44.6	46.0
Trefarthin	236660, 388455	26.7	27.0	27.5	28.0	28.6	29.3	30.1	30.9	31.8	32.8	33.9	34.9	36.0	37.2	38.3	39.4	40.5
Pen-ucheldref	234910, 388410	23.6	24.2	24.9	25.8	26.9	28.1	29.4	30.8	32.2	33.7	35.1	36.6	38.0	39.3	40.5	41.7	42.8
Ucheldref Goed	234945, 388000	25.2	27.5	29.8	32.2	34.6	36.8	38.8	40.7	42.4	43.8	44.9	45.8	46.5	46.9	47.2	47.3	47.4
Pen Padrig	238860, 387910	22.7	24.5	26.4	28.5	30.5	32.5	34.4	36.1	37.7	39.0	40.2	41.3	42.3	43.2	44.2	45.3	46.6
Tynewydd	236655, 386710	31.9	32.1	32.0	31.9	31.9	32.0	32.3	32.8	33.5	34.5	35.6	36.9	38.3	39.7	41.1	42.4	43.6
Ty Newydd	236045, 387960	28.8	29.1	30.9	32.1	33.3	34.6	36.0	37.4	38.8	40.2	41.7	43.1	44.5	45.8	47.1	48.3	49.4
Bryn Pabo	238390, 388190	28.8	29.1	29.6	30.5	31.7	33.2	35.0	36.9	38.9	40.9	42.8	44.5	46.1	47.4	48.4	49.2	49.9
Refail Newydd	239010, 387285	35.4	36.6	37.4	37.9	38.1	38.2	38.3	38.4	38.5	38.9	39.3	39.9	40.7	41.5	42.4	43.4	44.2

Application Reference: HHP/2022/46

Applicant: Mr Phil Smith

Description: Full application for demolition, alterations and extensions at

Site Address: Tan Yr Allt Bach, Llanddona



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

Call-In to Planning Committee by a Local Member

**Proposal and Site**

The application received is for the demolition of existing uPVC extension to the building together with the erection of a glass-linked single-storey gabled extension and a new patio with lower ground floor storage area/ Plant Room underneath at the rural property of Tan Yr Allt Bach, Llanddona. The existing main dwelling is to have an erection of a pitched roof two-storey rear extension along with two new feature bay dormer windows to the 1st floor of the front elevation of the property.

## Key Issues

The key issues are if the proposal complies with current policies, if the proposal is an overdevelopment of the site and whether the proposal would have a negative impact on the existing building, the surrounding area or neighbouring residential properties.

## 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

Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)

Technical Advice Note 12: Design (2016)

Planning Policy Wales (11th edition)

### Response to Consultation and Publicity

Consultee	Response
Cynghorydd Gary Pritchard	Called to committee
Ymgynghorydd Tirwedd / Landscape Advisor	Advice given, Strategy requested and provided.
Cynghorydd Carwyn Jones	Called to committee
Cynghorydd Alun Roberts	Called to committee
Cyngor Cymuned Llanddona Community Council	Objection
Cyfoeth Naturiol Cymru / Natural Resources Wales	Advice and recommendations given
Prifffyrdd a Trafnidiaeth / Highways and Transportation	Construction Traffic Management Plan requested, conditioned.
Dwr Cymru/Welsh Water	Advice Given
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Advice Given
Swyddog Awyr Dywyll / Dark Skies Officer	Concerns raised, additional information provided
Swyddog Cefn Gwlad a AHNE / Countryside and AONB Officer	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 14/09/2022. At the time of writing this report, no letter of representation had been received at the department.

### Relevant Planning History

None

## **Main Planning Considerations**

The main planning considerations are whether the proposal complies with current policies, and whether the development would have any negative impacts on the area or any neighbouring properties.

### **Siting and Design:**

Tan Yr Allt Bach is a detached farmhouse style property located at a rural elevated hill side sloping location adjacent to a main access road down towards Llanddona beach. The property is a detached two storey property with a substantially large sized curtilage/garden area surrounding the property. The existing greenery surrounding the curtilage of the property provides additional screening to the proposal site.

Having visited the site it is noted the front elevation of the proposed new extension is at a high vantage point with views towards the sea and towards Red Wharf Bay at a distance. It is considered the structure will be at a considerable distance from public vantage points of the beach of Llanddona and coastal area of Red Wharf Bay. The proposal site is only viewable from the nearest public beach of Llanddona when the tide is low only.

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

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

Given the context of other neighbouring buildings and existing uses, it is not considered that the proposal would give rise to an unacceptable visual effect in the local landscape. The modern design and material choices of the proposal are aspirational in style but is considered acceptable as to be in keeping with the character of other new modern high quality developments within the immediate locality and on Anglesey as a whole. Information on proposed materials have been received and are considered acceptable as to match the existing style of the property, slated pitched roof and render to match existing property. The addition of a glass link is a modern unique choice of design modernising and enhancing the existing property whilst being placed set back within the site area to not be obtrusive within the rural landscape. It is considered due to many other new modern design aspirational style developments within the area that the design is in-keeping with the character of the area.

Concerns have been raised regarding the impact of the proposal to the local community and types of property that are being created within the Llanddona area. Considering the current property was recently sold for an above average property price, it is, unfortunately, not attainable for local people with average work wages to purchase this type of property within the local area or indeed Anglesey as a whole. It is considered the proposal is in keeping with the existing substantially sized property and within the character of Llanddona as there are numerous different styles and sizes of property within the Llanddona area.

The proposed design compliments and enhances the character of the existing property in line with Policy PCYFF3 and AMG 1 of the Anglesey and Gwynedd Joint Local Development Plan.

The form and proportion of the development also respect the character of the surrounding built environment and landscape in accordance with the guidance provided in the following Supplementary Planning Guidance Notes:

- Design Guide for the Urban and Rural Environment (2008).

### **Ecological Impact / Dark Skies impact / AONB:**

Dark skies have been consulted regarding the new glazing included as part of the proposal. After receiving comments from the officer further information and clarification have been provided to mitigate any detrimental impact on the designated dark skies area. Drawing Number A.005 – Proposed Dark Skies Strategy has been received by the agent of the application listing the following mitigation measures: Low-Intensity Lighting, Considered Accent Lighting, Vertical Light Spillage Mitigation, Horizontal Light Spillage Mitigation, General Light Spillage Mitigation which have also been labelled on proposed plans on the drawing received. With these measures in place it is considered the impact on the dark skies and AONB area of the new development will be minimized to an extent to not produce a detrimental impact to the immediate area.

A proposed landscape strategy, drawing number A.004 Proposed Landscape Strategy, has also been received as part of this application after agent receiving consultee response from our Landscape Officer. To minimise visual impact of the new proposal it is proposed the Western Boundary of the site is to be planted extensively with local landscaping species of plants. It is also noted that throughout the site that layers of planting is to be planted throughout the site to obscure any additional light included with the new proposal. This planting also provides additional screening to the site of the proposal minimising the visual impact of the proposal.

An ecological survey has been submitted as part of this application and a Bat Activity Survey has been submitted and conducted within the emergence time period of May – September. The survey notes reasonable avoidance and mitigation measures during the construction process and lists bat and bird boxes to be placed on site. An Ecological Mitigation Overlay has also been provided as part of the application clearly labelling the required ecological boxes and their locations within the application site.

### **Adjacent Residential Properties:**

No immediate neighbours are located nearby the property with the nearest immediate adjacent approx. 92m distance away (Cae Maes Mawr, Llanddona). This distance is a greater amount than the indicative minimum distances measured in SPG Guidance Note 8: Proximity of Development. It is considered the proximity of the development is considered acceptable.

Policy PCYFF 2 ensures the development is acceptable if the proposed development would not 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.

### **Conclusion**

It is considered that the proposal is acceptable in land use planning terms. The Proposed development is subservient to the existing property in respects of scale and size and does not dominate the original elevation, therefore it is appropriate to the dwelling and its surrounding area.

### **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.

- **2117 Design & Access Statement April 2021 – Revision A**
- **A.006 – Ecological Mitigation Overlay**
- **A.003 Rev A – Preliminary Drainage Strategy**
- **A.500 Rev A – Proposed 3D Visuals**
- **A.005 – Proposed Dark Skies Strategy**
- **A.302 Rev A – Proposed Extension Elevations**
- **A.400 Rev A – Proposed Extension Sections**
- **A.201 Rev A – Proposed First Floor Plan**
- **A.200 Rev A – Proposed Ground Floor Plan**
- **A.300 Rev A – Proposed House North and West Elevation**
- **A.301 Rev A – Proposed House South and East Elevation**
- **A.004 – Proposed Landscape Strategy**
- **A.303 – Proposed Material Mood Board**
- **A.400 Rev A – Proposed Extension Sections**
- **A.002 Rev A – Proposed Site Plan**
- **A.401 Rev A – Proposed Section Renovation Works**
- **A.004 – Proposed Landscape Strategy**
- **Clwydian Ecology – Protected Species Survey – 12th of May 2022**
- **Clwydian Ecology – Bat Activity Survey – 9th August 2022**

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

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF 2, PCYFF 3, 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.

Application Reference: HHP/2022/219

Applicant: Head of Housing

Description: Full application for alterations and extensions at

Site Address: 7 Tre Gof, Llanddaniel



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

The application is presented to the Committee as the Isle of Anglesey County Council are the applicant and the landowner.

**Proposal and Site**

The application presented is for the erection of a single storey rear extension to the dwelling.

The application site is a two storey semi-detached property, located in the Tre Gof estate within the development boundary of Llanddaniel as defined by the Joint Local Development Plan.

## Key Issues

They key issues are whether the proposed scheme is acceptable, whether it complies with current policies, and whether the proposed development would impact any neighbouring properties.

## Policies

### Joint Local Development Plan

Policy PCYFF 2: Development Criteria  
Policy PCYFF 3: Design and Place Shaping  
Policy PCYFF 4: Design and Landscaping

Technical Advice Note 12: Design (2016)

Planning Policy Wales (Edition 11, February 2021)

Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)

### Response to Consultation and Publicity

Consultee	Response
Cynghorydd Dafydd Roberts	No response at the time of writing the report.
Cynghorydd Alwen Pennant Watkin	No response at the time of writing the report.
Dwr Cymru Welsh Water	Condition regarding surface water and advisory notes for the applicant.
Cyngor Cymuned Llanddaniel Fab Community Council	No response at the time of writing the report.

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 08/09/2022. At the time of writing this report, no letters of representations had been received at the department.

### Relevant Planning History

No relevant site history

### Main Planning Considerations

The main planning considerations are whether the proposal complies with current policies, and whether the development would have any negative impacts on the area or any neighbouring properties.

### Proposal and Site

The site is a two storey semi-detached property, located in the Tre Gof estate within the development boundary of Llanddaniel as defined by the Joint Local Development Plan. The proposed scheme is for the erection of a single storey rear extension.

The applications' main issues are:

- i. Siting and Design
- ii. Impact on Adjacent Residential Properties

## **i. Siting and Design**

The proposed extension will extend approximately 5.4m beyond the rear elevation of the property. It will measure 3.8m wide, being brought level with the side elevation of the dwelling, and set 3.2m away from the boundary with neighbouring property 8 Tre Gof. It will have a flat roof at 2.8m in height, which is significantly lower than the main pitch of the dwelling, ensuring that this is a subservient extension.

This extension will accommodate an additional bedroom, lobby and shower room, creating additional living space within the property. The rear elevation will have a bedroom window looking into the rear garden, together with a pedestrian door on the side elevation facing 6 Tre Gof, and a shower room window on the side elevation facing 8 Tre Gof. The extension will be rendered to match the existing dwelling, ensuring integration into the site and its surrounding built environment, and a high quality of design to comply with PCYFF 2.

In order to comply with the Environment Wales Act (2016), all planning applications must show overall biodiversity enhancement. In regards to this application, a bird box has been added to the side elevation of the main dwelling. This is considered to provide overall biodiversity enhancement, and complies with the requirements of the Environment Wales Act and policy PCYFF 4.

## **ii. Impact on Adjacent Residential Properties**

It is not considered that the proposal will have a negative impact upon the privacy and amenities of neighbouring properties. An existing two-metre high timber fence along the side and rear boundaries of the property will ensure that no issues of overlooking will arise from the proposed extension. Despite being in close proximity to neighbouring properties 6 and 8 Tre Gof, the small-scale nature of the development and the existing boundary treatments between the properties ensure that their privacy and amenities are maintained in accordance with policy PCYFF 2.

## **Conclusion**

The proposal is considered a small-scale development that will provide additional living space within the property. It is considered a subservient extension that will integrate into the site with matching finish materials. Giving its siting in relation to neighbouring properties, and the existing boundary treatments, it is not considered to give rise to any greater harm upon the privacy and amenities of any neighbouring properties.

## **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:**

- **AL.00.01 - Location plan**
- **AL.01.02 - Proposed floor plan**
- **AL.02.02 - Proposed elevations**

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

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

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

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF 2, PCYFF 3

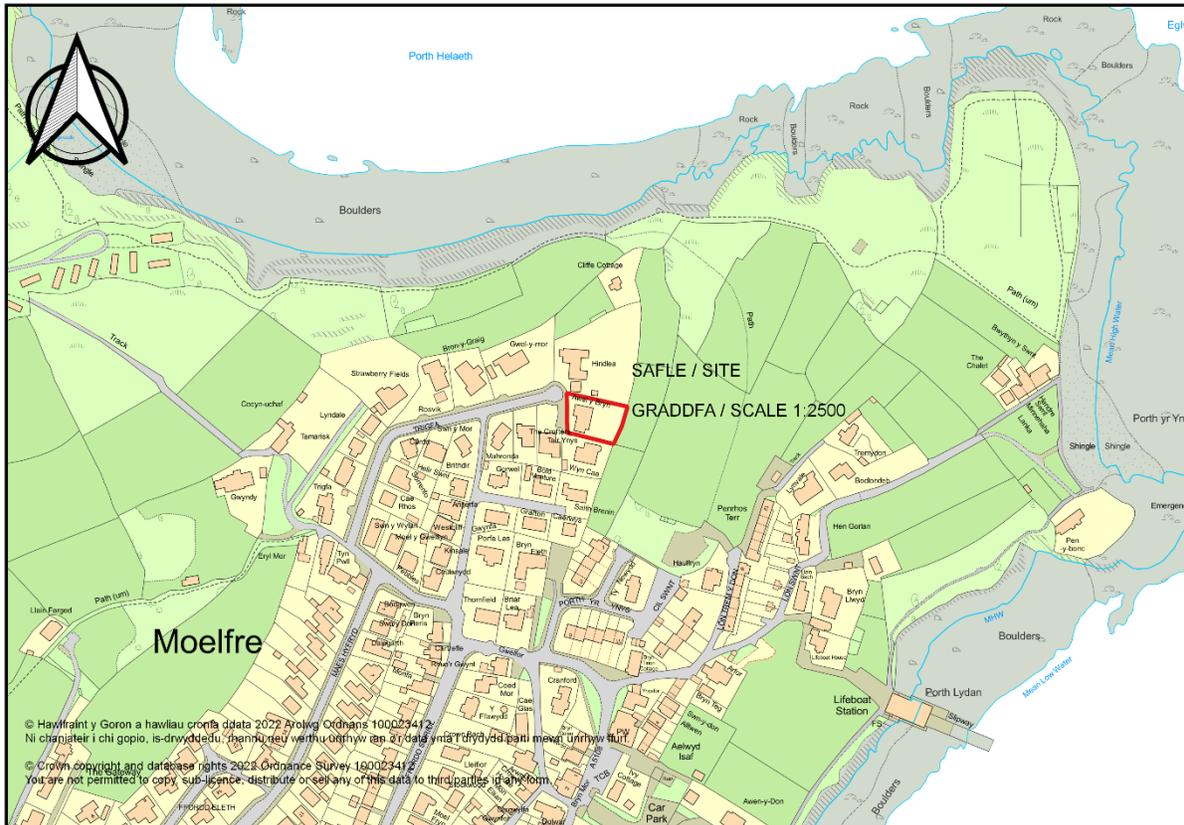
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: HHP/2022/171

Applicant: Mr & Mrs D Adams

Description: Full application for alterations and extensions with Juliet balconies at

Site Address: Awel Y Bryn, Trigfa, Moelfre



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

Call-In to Planning Committee by a Local Member

**Proposal and Site**

The application received is for the erection of new dormer windows to the front and rear elevations of the detached property of Awel Y Bryn, Trigfa, Moelfre to create a new 1st floor living space at the roof space of the existing single storey property.

## Key Issues

The key issues are if the proposal complies with current policies, if the proposal is an overdevelopment of the site and whether the proposal would have a negative impact on the existing building, the surrounding area or neighbouring residential properties.

## Policies

### Joint Local Development Plan

Policy PCYFF 2 – Development Criteria  
Policy PCYFF 3 – Design and Place Shaping  
Policy TRA 2 – Parking Standards  
AMG 1: Area of Outstanding Natural Beauty Management Plans

Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)  
Supplementary Planning Guidance – Parking Standards (2008)

Technical Advice Note 12: Design (2016)

Planning Policy Wales (11th edition)

### Response to Consultation and Publicity

Consultee	Response
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Advice Given
Cynghorydd Euryr Morris	No Response
Cynghorydd Ieuan Williams	Committee Call-in
Cyngor Cymuned Moelfre Community Council	Objection
Priffyrdd a Trafnidiaeth / Highways and Transportation	Comments
Cynghorydd Margaret Murley Roberts	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 08/09/2022. At the time of writing this report 2 web comments of objection have been received together with approx 17 Letters of Objection. The main comments summarized were as follows:

- Access and Parking/Vehicle Concerns of additional bedrooms to property.
- Blocked access to Emergency Vehicles, Delivery vans, post vans and Refuse Collection at the location of the end of this Cul-De Sac of the Trigfa residential estate
- Noise pollution/concerns, loss of Peace and Quiet of immediate residential area with the additional occupants
- Capability for the amended property of sleeping 12+ people, “Party House” with potential for late night noise.
- Overdevelopment - Cumulative effect of other previous developments at the site, Garage conversion to accommodate 6 people (Various descriptions of this converted room received: En suite bedroom/Cabin Room/3 bunk beds) and a “Glamping pod” unit (sleeps 2) at the side elevation of the property. Also a new Patio, Hot Tub and fire pit also placed at the rear garden of the property.

- Use of amended property – Property previously advertised as a holiday let business (As recently as 2020)
- Development contributes nothing to immediate area nor the village or Island. Detrimental Impact
- Effect on Privacy of a new “upper floor”
- Out of Character with the estate / Non-cohesive
- Community eroded by intermittent arrival of a sizeable number of short term visitors in which this developments add to.
- Previous flouting of planning rules with the removal of a dry stone wall and extension of the rear garden of the property.
- Loss of light / Overshadowing created by the placement of the new dormer windows.
- Change of 2 bedroom single storey property to a 5 bedroom two storey “monstrosity”
- Possible increase of refuse at the property resulting in possible seagull nuisance and increased vermin.
- Loss of Sea Views to neighbouring properties
- Property a business venture with the proposed extension to increase the revenue received from letting the property out.
- Effect on AONB
- Noise and nuisance caused by existing on going building works at the site
- Safety concerns as Previous fire at the property.

In the response to the large amount of comments received for this application a Justification Statement was requested and received by the agent of the application. It is considered the justification statement provided the required additional information to provide an adequate response to the concerns raised. I have briefly stated a response to the summarized comments above:

- Main consideration with the application is regarding parking concerns. No objection is noted by the Highways department for this application. Nevertheless a Parking Diagram has been submitted as part of the Justification statement displaying space for up to 5 cars on the driveway of the property.
- It is considered the parking will be off road for the owners of this property, not affecting access to the Cul-De-Sac
- The application is for 2 additional bedrooms and Snug area for the property. The use class C3 Dwellings has been specified to remain. It is therefore considered as there is no change of use of the property that the noise levels will remain the same as existing.
- It has been confirmed by the applicant that the use of the property is to be as a dwelling for family use only not as a holiday let business as previously listed. The planning Department cannot speculate on a use of a property and take applications at face value by the information provided.
- It is considered the development of 2 additional bedrooms and “snug” area is not an overdevelopment of the existing site as the footprint remains the same, similar style dormer extensions are within the estate and the extension is subservient towards the existing main dwelling
- As previously stated the department cannot be speculative on the use of the site. As the property is currently a residential property we take it upon us that the use class of C3 Dwelling is the current and intended use.
- The proposal provides additional living space to the occupants of the property
- It is considered any overlooking issues are to be kept to a minimal as the new dormers at the front of the property are facing the public residential road whilst the rear Juliette balcony dormer roof extensions face the rear garden of the property. As the balconies are Juliette style balconies they do not extend out of the dormer extension and will be difficult to peer out on to neighbouring properties.
- The site had a similar previous planning application approved in 2010 for a previous dormer 1st floor extension. The justification statement also includes similar style dormer roof extensions within the estate.
- Cannot comment on dry stone wall, separate issue
- As previously stated the extension is within the roof of the detached property and no additional overshadowing is to be created at the site.
- Cannot police in planning terms the amount of bedrooms that are within a residential C3 Dwelling
- Refuse is not relevant issue as the use of the property is to remain the same
- Loss of sea views is not considered a planning issue

- As the application is a small scale householder it is considered the impact on AONB is to remain the same impact as the existing modernized property.
- On a planning perspective unable to comment on existing building works at the site as are not relevant to the application received.
- Safety concerns – The property will need to comply with Building Regulations department if Planning permission is granted.

### **Relevant Planning History**

40C262 - Addasu ac ehangu yn / Alterations and extensions at - Awel y Bryn, Trigfa Estate, Moelfre – Tynnwyd yn Nol / Withdrawn

40C262A - Addasu ac ehangu yn / Alterations and extensions at Awel y Bryn, Moelfre. Caniatau / Permitted 14/02/2006

40C262B - Adnewyddu caniatad cynllunio rhif 40C262A ar gyfer addasu ac ehangu yn / Renewal of planning permission ref 40C262A for alterations and extensions to - Awel y Bryn, Trigfa Estate, Moelfre. Caniatau/Permitted 28/01/2011

### **Main Planning Considerations**

The main planning considerations are whether the proposal complies with current policies, and whether the development would have any negative impacts on the area or any neighbouring properties.

### **Siting and Design:**

The proposal is for the erection of roof dormer windows to include to the detached single storey property of Awel Y Bryn for the creation of a new 1st floor living area to include 2 new double bedrooms with en suites and a Snug area in the middle adjoining the 2 new bedrooms. The proposed dormers to the front and rear elevations allow the existing roof space to be utilised to provide additional accommodation for the applicants without increasing the overall footprint of the property. The proposed new dormer windows are to be flat roofed with horizontal cladding, similar in design to other dormer roof extensions in the immediate vicinity of the residential estate. It is also confirmed the overall roof height will not be increased with this proposal or extend beyond the main external walls of the property, subservient in size and scale to the main existing dwelling.

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

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

Previous planning at the property site include planning approvals granted for a similar scheme for 1st floor living accommodation at the property (see planning ref: 40C262B approved 20/12/2010). This scheme included 2 new 1st floor bedrooms and a substantially sized central rear dormer with a veranda. This previously approved scheme has many similarities in comparison to this current application submitted in terms of size and scale.

Given the context of other buildings and existing uses, it is not considered that the proposal would give rise to an unacceptable visual effect in the local landscape as the property is to have the same footprint to existing structure at the site

The form and proportion of the development also respect the character of the surrounding built environment and landscape in accordance with the guidance provided in the following Supplementary Planning Guidance Notes:

- Design Guide for the Urban and Rural Environment (2008).

### **Adjacent Residential Properties:**

Awel Y Bryn is a detached residential property located at an end of a cul-de-sac of detached residential properties within the greater estate of Trigfa at the coastal town of Moelfre. Neighbouring properties are towards the North and South side elevations of the dwelling with a residential road / cul-de sac towards the front elevation and no immediate neighbours towards the rear elevation of the property (fields include a public footpath towards the headland of Moelfre).

Policy PCYFF 2 ensures the development is acceptable if the proposed development would not 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.

It is considered any overlooking issues are to be kept to a minimal as the new dormers at the front of the property are facing the public residential road whilst the rear Juliette balcony dormer roof extensions face the rear garden of the property and fields at the rear of the property with views towards the sea. As the balconies are Juliette style balconies they do not extend out of the dormer extension and will be difficult to peer out on to neighbouring properties. It is considered the proposal complies with Policy PCYFF 2.

### **Parking / Highway Concerns:**

No objection is noted by the Highways department for this application. A Parking Diagram has been submitted as part of the Justification statement displaying space for up to 5 cars on the driveway of the property, complying with Parking Standards for use Class C3 Dwellings which requires 4 car parking spaces for a 5 bedroom dwelling on any new development. The justification statement also displays the two roads serving the property providing adequate access for emergency vehicles, deliveries, bin collections etc. and that the proposal site is not reliant on on-street parking.

### **Use of Dwelling:**

In regards of current policy and regulations the planning department cannot police use of C3 dwellings being let out as single unit holiday lets. Nevertheless confirmation from the agent has been received that the use of the property is for the applicant and for their large family only.

It is understandable the use of the property has been a contentious issue as the property has been previously advertised as a holiday let business in the past and the issues that arise with such a business have been felt by the neighbouring residents within the immediate area. The site is no longer advertised as such a business online. We as a department must accept applications at face value with the information provided as part of the application. It is considered the justification document provides an adequate response to concerns raised during the consultation/notification process by providing further clarification of the residential use of the dwelling.

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WCFG Act). The decision takes into account the ways of working set out at section 5 of the WCFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WCFG Act.

## Conclusion

It is considered that the proposal is acceptable in land use planning terms. The Proposed development is subservient to the existing property in respects of scale and size and does not dominate the original elevation, therefore it is appropriate to the dwelling and its surrounding area.

## 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.**

- **A(300)01 – Planning Drawing – Proposed Floor Plans & Sections**
- **A(300)02 Revision A – Planning Drawings Proposed Elevations**

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

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: **PCYFF 2, PCYFF 3, TRA 2, 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.

Application Reference: FPL/2022/216

Applicant: Mr David Owen

Description: Full application for an extension to the curtilage at

Site Address: Glanllyn, Llanedwen, Llanfairpwll



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

The application is presented to the Committee as the application is made on land which is owned by the County Council.

**Proposal and Site**

The proposal involves the extension to the residential curtilage of the property.

The property is a semi-detached farmhouse, located in an open countryside location in Llanedwen.

## Key Issues

They key issues are whether the proposed scheme is acceptable, whether it complies with current policies, and whether the proposed development would impact any neighbouring properties or the surrounding area.

## Policies

### Joint Local Development Plan

Policy AMG 1: Area of Outstanding Natural Beauty Management Plans

Policy PCYFF 2: Development Criteria

Policy PCYFF 3: Design and Place Shaping

Policy PCYFF 4: Design and Landscaping

Technical Advice Note 12: Design (2016)

Planning Policy Wales (Edition 11, February 2021)

Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)

Isle of Anglesey AONB Management Plan Review 2015-2020

## Response to Consultation and Publicity

Consultee	Response
Cynghorydd Alwen Pennant Watkin	No response at the time of writing the report.
Cynghorydd Dafydd Roberts	No response at the time of writing the report.
Cyngor Cymuned Llanddaniel Fab Community Council	No response at the time of writing the report.

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 08/09/2022. At the time of writing this report, no letters of representations had been received at the department.

## Relevant Planning History

21LPA632/CC - Alterations and extensions to Glanllyn, Porthamel, Llanedwen. Approved 29/09/1992.

## Main Planning Considerations

The main planning considerations are whether the proposal complies with current policies, and whether the development would have any negative impacts on the area or any neighbouring properties.

## Proposal and Site

The site is a semi-detached farmhouse, located in an open countryside location in Llanedwen. The proposal involves the extension to the residential curtilage of the property.

The applications' main issues are:

- i. Siting and Design
- ii. Impact on Adjacent Residential Properties

## **i. Siting and Design**

The farm has two semi-detached residential properties, Glanllyn and Porth Amel. As existing, Glanllyn has a rear garden measuring approximately 79m<sup>2</sup>, whereas the rear garden of neighbouring Porth Amel is much larger, measuring approximately 530m<sup>2</sup>. The proposal involves extending the residential curtilage of Glanllyn into the agricultural land to the north west, and behind the rear garden of Porth Amel.

The extended part of the curtilage will measure approximately 451m<sup>2</sup>, bringing the residential curtilage of Glanllyn to a total of 530m<sup>2</sup>. This will match the curtilage of neighbouring Porth Amel, which is considered justified, and will provide additional amenity space for the occupiers without being dominant and having a negative impact on the surrounding landscape.

The extended curtilage will be set further to the west than the rear garden of Glanllyn, as the land directly to the north of their existing garden has vast amounts of rock on the surface, which would require considerable excavating to eradicate. Their chosen location in the agricultural field directly adjacent is considered the most suitable for an extension to curtilage.

Policy PCYFF 4 states that all proposals should integrate into their surroundings. All trees and hedges surrounding the agricultural land will remain as existing, with the new curtilage being established by stock proof fencing, ensuring integration with the neighbouring garden, and into the surrounding landscape.

The proposal site falls within the Isle of Anglesey Area of Outstanding Natural Beauty (AONB). It is considered that the small scale nature of the proposal will integrate well into its surrounding landscape. It is therefore considered that it will have no greater visual impact and that the special qualities and features of the AONB will not be affected.

## **ii. Adjacent Residential Properties**

Given the rural location of the site, neighbouring properties are sparsely located in the surrounding landscape. Existing topographical levels mean that Glanllyn is in an elevated position compared to the properties to the west, with dense vegetation on that western boundary ensuring that the proposed extension to curtilage would have no greater impact upon their privacy and amenities.

To ensure that no further developments are carried out on the site without consideration of the impacts on the neighbouring properties and the surrounding area, a condition will be imposed on the permission removing permitted development rights in regards to any building or enclosure (Class E of Part 1 of Schedule 2) of the Town and Country Planning (General Permitted Development) Order 2013.

## **Conclusion**

The proposal will provide additional amenity space for the occupiers of Glanllyn, and is considered to have little or no greater impact upon the privacy and amenities of neighbouring properties, or on the surrounding locality.

## **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:**

- **OBS-2022-061 GA001 Rev C - Location plan, existing & proposed site plan, site photographs**

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

**(03) 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 Class E of Part 1 of Schedule 2 are hereby excluded.**

Reason: In the interests of residential and visual amenity.

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: AMG 1, PCYFF 2, PCYFF 3

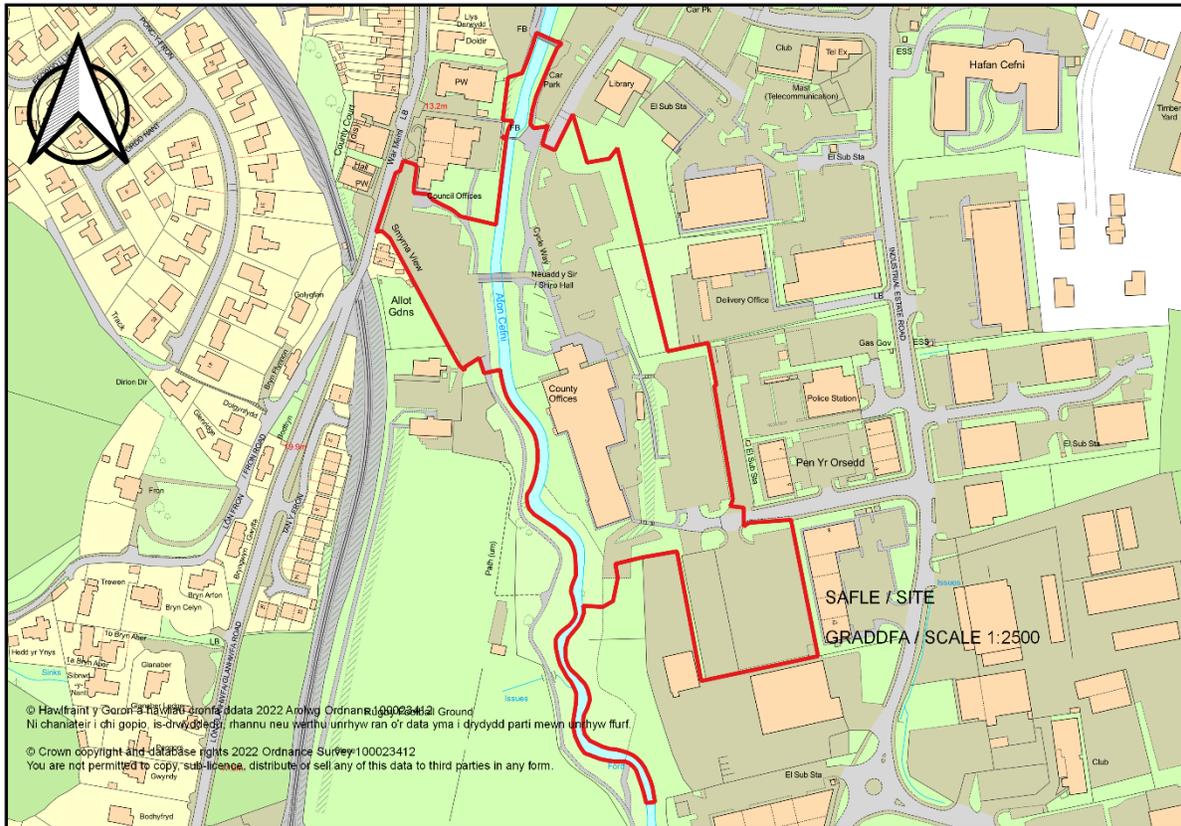
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2022/198

Applicant: Mr. Richard Hall

Description: Full application for the installation of 2no 470kW Air Source Heat Pumps and a plant room house housing 2 no Water Source Heat Pumps together with associated development at

Site Address: Isle of Anglesey County Council Llangefni



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

The application site is Council owned land.

**Proposal and Site**

The application is made for the installation of 2no 470kW Air Source Heat Pumps and a plant room house housing 2 no Water Source Heat Pumps together with associated development on land located to the rear of Isle of Anglesey County Council offices, Llangefni.

## Key Issues

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

## Policies

### Joint Local Development Plan

Policy PCYFF 4: Design and Landscaping  
Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change  
Policy PCYFF 3: Design and Place Shaping  
Policy PCYFF 1: Development Boundaries  
Strategic Policy PS 7: Renewable Energy Technology  
Policy PCYFF 5: Carbon Management  
Policy ADN 3: Other Renewable Energy and Low Carbon Technologies  
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment  
Policy PCYFF 2: Development Criteria  
Strategic Policy PS 5: Sustainable Development  
Policy AMG 5: Local Biodiversity Conservation

Planning Policy Wales (Edition 11, February 2021)

Technical Advice Note 15: Development and Flood Risk (2004)  
Technical Advice Note 5: Nature Conservation and Planning (2009)  
Technical Advice Note 8: Renewable Energy (2005)

## Response to Consultation and Publicity

Consultee	Response
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Comments/advice in relation to Ecological considerations.
Iechyd yr Amgylchedd / Environmental Health	Comments/advice in relation to environmental considerations.
Ymgynghorydd Tirwedd / Landscape Advisor	No response at the time of writing report.
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objection.
Cynghorydd Geraint ap Ifan Bebb	No response at the time of writing the report.
Cyngor Tref Llangefni Town Council	Approve.
Cynghorydd Nicola Roberts	No response at the time of writing the report.

The proposal has been advertised through the posting of site notices near the site. The latest date for the receipt of any representation was the 24/08/2022. At the time of writing this report, no letter of representation had been received at the department.

## Relevant Planning History

34LPA700/CC- Dymchwel y swyddfeudd presennol ynghyd a codi swyddfeudd newydd gyda maes parcio cysylltiedig / Demolition of the existing offices and erection of new offices and associated car parking - Dim Gwrthwynebiad/No objection 10.12.97

34LPA700A/CC - Gosod ffenstri newydd yn y tô / Installation of roof windows - Caniatau/Granted 17.10.00

34LPA700B/CC - Darparu 4 ffenestr 'velux' / Provision of 4 velux windows - Caniatu/Granted 6.12.02

34LPA700C/CC - Estyniad i'r maes parcio / Extension to car park - Caniatu/Granted 7.3.03

34LPA700D/CC - Codi prif fynedfa newydd / Erection of a new main entrance - Caniatu/Granted 10.1.07

34LPA700E/CC - Creu mynedfa newydd i compownd y Cyngor a cau y fynedfa presennol, gosod tanciau/gorsaf llenwi nwy a creu 6 lle parcio newydd yn / Construction of a new vehicular access to the Council's compound and close existing access, installation of gas storage tank/filling station and construction of 6 additional parking spaces - Caniatu/Granted 2.10.08

### **Main Planning Considerations**

Policy PCYFF1 of the JLDP 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 of the Urban Service Centre of Llangefni on a safeguarded employment site and therefore accords with policy PCYFF 1.

Policy PCYFF2 relates to development criteria and requires that proposals should demonstrate its compliance 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 2 requires that it respects the context of the site and its place within the local landscape, including its impact on important principle gateways into Gwynedd or into Anglesey, its effects on townscape and the local historic and cultural heritage and it takes into account of the site topography and prominent skylines or ridges.

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.

Policy PCYFF 4 of the JLDP relates to Design and Landscaping and states that all proposals should integrate into their surroundings. Proposals that fail to show (in a manner appropriate to the nature, scale and location of the proposed development) how landscaping has been considered from the outset as part of the design proposal will be refused.

Policy AMG 5 of the JLDP relates to Local Biodiversity Conservation and states that proposals must protect and, where appropriate, enhance biodiversity that has been identified as being important to the local area by:

- a. avoiding harmful impacts through the sensitive location of development;
- b. considering opportunities to create, improve and manage wildlife habitats and natural landscape including wildlife corridors, stepping stones, trees, hedges, woodlands and watercourses.

A proposal affecting sites of local biodiversity importance will be refused unless they can conform with all the following criteria:

1. that there are no other satisfactory alternative sites available for the development
2. the need for the development outweighs the importance of the site for local nature conservation
3. that appropriate mitigation or compensation measures are included as part of the proposal.

The proposal involves the provision of a GRP enclosure measuring 8.3m x 5.3m x 3m for the housing of 2 water source heat pumps together with the provision of 2 air source heat pumps mounted on a modular steel frame some 0.7m above the ground level.

The enclosures have been designed to the minimum standards whilst also ensuring sufficient and minimal access around the air source heat pump and plant room is maintained and allows for suitable workspace and access around the units.

The proposed units are positioned to the rear of the existing Council building and are well screened by existing topography and vegetation. In terms of their design and appearance it is considered that the proposal accords with policy PCYFF 3.

The application is also accompanied by a Biodiversity Enhancement Plan which proposes the provision of 2 bat boxes, 2 bird boxes and the expansion of the wildflower meadow to compensate for the loss of habitat features that will result from the development. The Ecological Adviser has been consulted on the proposals and is satisfied that the biodiversity enhancements proposed are appropriate and meet the requirements of policy AMG5 and the Section 6 Duty of the Environment Wales Act 2016.

Policy PS 7 relates to Renewable Energy Technology and states that the Council's will seek to ensure that the Plan area wherever feasible and viable realises its potential as a leading area for initiatives based on renewable or low carbon energy technologies by promoting:

1. Renewable energy technologies within development proposals which support energy generation from a variety of sources which include biomass, marine, waster, water, ground, solar, wind, including micro generation;
2. Free-standing renewable energy technology development

This will be achieved by:

3. Ensuring that installations in areas covered by international or national designations and visible beyond their boundaries, or areas of local landscape value, in accordance with Strategic Policy PS 19 do not individually or cumulatively compromise the objectives of the designations especially with regard to landscape character and visual impact;
4. Ensuring that installations in accordance with PS 19 do not individually or cumulatively compromise the objectives of international, national and local nature conservation designations;
5. Supporting installations outside designated areas provided that the installation would not cause significant demonstrable harm to landscape character, biodiversity, or amenity of residential or holiday accommodation, either individually or cumulatively.

Policy ADN 3 relates to Other Renewable Energy and Low Carbon Technologies and states that proposals for renewable and low carbon energy technologies, other than wind or solar, which contributes a low carbon future will be permitted, provided that the proposal conforms to the following criteria:

1. 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 setting are conserved or enhanced.
2. That the proposal does not have a significant unacceptable effect on visual amenities;
3. That the proposal is mitigated to ensure that there aren't any significant unacceptable effects on sensitive uses located nearby;
4. Where appropriate, that the proposal does not have a significant unacceptable effect on the quality and supply of water;

5. Where appropriate, existing buildings or previously developed land is used;
6. That the development does not have cumulative unacceptable effect with any prominent features in the landscape and townscape;
7. Where required, the equipment and associated infrastructure are removed from the site in accordance with a restoration and aftercare scheme submitted to an agreed by the Local Planning Authority

The application is also accompanied by a Noise Impact Assessment. The assessment has considered the potential for noise impacts from the installation of the new water and air source heat pumps. BS 4142 day and night-time rating levels were found to be more than 10dB over representative background noise levels, with the potential for significant adverse noise impacts at the nearest residential NSR.

The assessment has shown that mitigation is required to meet the local authority EH criteria and acoustic enclosures for the air source units, with minimum sound reduction value of 22dB have been recommended. This would bring the noise levels down to outperform the EH criteria with no noise impact expected at the nearest residential NSR.

The Environmental Health Department have been consulted on the proposals and are satisfied that subject to the implementation of the recommendations contained within the Noise Impact Assessment, that the noise impacts can be satisfactorily mitigated.

It is not therefore considered that the proposal would cause significant demonstrable harm to landscape character, heritage assets, natural resources, the quality and supply of water, biodiversity or residential/visual amenity and that the proposal otherwise is in accordance with policies PS 7 and ADN 3 of the JLDP.

## **Conclusion**

The proposed development is therefore considered to be acceptable and conforms with the above mentioned policies and it is not considered that the development will give rise to an unacceptable impacts upon the character, appearance or amenities of the area subject to conditions.

## **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 approved shall be carried out in accordance with the Biodiversity Enhancement Plan by TEP dated June 2022.**

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

**(03) The development hereby approved shall be carried out in accordance with mitigation measures detailed in section 7 of the Noise Impact Assessment by Walnut Acoustics dated 18<sup>th</sup> July 2022**

Reason: To protect the amenities of nearby residential occupiers.

**(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:**

- **Proposed Site Plan: A1362-100 P1**
- **Proposed Plan: A1362-102 P2**
- **Proposed Sections: A1362-003 P1**
- **Air Source Heat Pump and Frame**
- **Flood Consequences Assessment, GeoSmart Information Ltd, 24.06.2022**
- **Noise Impact Assessment, Walnut Acoustics, 18.07.2022**
- **Bat Surveys, TEP, June 2022**
- **Design and Access Statement Issue V2, AHP Architects & Surveyors Ltd, July 2022**
- **Biodiversity Enhancement Plan, TEP, June 2022**

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: PS5, PS6, PS7, PS19, PCYFF1, PCYFF2, PCYFF3, PCYFF4, PCYFF5, ADN3, AMG5.

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