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RHYBUDD O GYFARFOD	NOTICE OF MEETING
PWYLLGOR CYNLLUNIO A GORCHMYNION	PLANNING AND ORDERS COMMITTEE
DYDD MERCHER, 5 GORFFENNAF, 2023 am 1.00 o'r gloch yp	WEDNESDAY, 5 JULY 2023 at 1.00 pm
CYFARFOD HYBRID – YN SIAMBR Y CYNGOR, SWYDDFEYDD Y CYNGOR, LLANGFNI AC YN RHITHIOL DRWY ZOOM	HYBRID MEETING - COUNCIL CHAMBER, COUNCIL OFFICES, LLANGFNI AND VIRTUALLY VIA ZOOM
Swyddog Pwyllgor	Mrs Mairwen Hughes 01248 752518 Committee Officer

AELODAU / MEMBERS

Cynghorwyr / Councillors:

Geraint Bebb
Jeff Evans
Neville Evans
Glyn Haynes (**Vice-Chair**)
Trefor LI Hughes MBE
John I Jones
R. Llewelyn Jones
Jackie Lewis
Dafydd Roberts
Ken Taylor (**Chair**)
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
Glyn Haynes (*Vice-Chair*)
Trefor LI Hughes MBE
John I Jones
Robert LI Jones
Jackie Lewis
Dafydd Roberts
Ken Taylor (*Chair*)
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 - 16)

To submit, for confirmation, the minutes of the Planning and Orders Committee held on 7 June, 2023.

4 SITE VISITS

None convened.

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5 PUBLIC SPEAKING

6 APPLICATIONS THAT WILL BE DEFERRED

None to be considered by this meeting.

7 APPLICATIONS ARISING_ (Pages 17 - 26)

7.1 – HHP/2023/51 – Lancefield, Ffordd Cynlas, Benllech
[HHP/2023/51](#)

8 ECONOMIC APPLICATIONS

None to be considered by this meeting.

9 AFFORDABLE HOUSING APPLICATIONS

None to be considered by this meeting.

10 DEPARTURE APPLICATIONS_ (Pages 27 - 32)

10.1 – VAR/2023/18 – Gwynfryn Lodge, Rhoscolyn
[VAR/2023/18](#)

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

None to be considered by this meeting.

12 REMAINDER OF APPLICATIONS_ (Pages 33 - 64)

12.1 – VAR/2023/33 – Ysgol y Graig, Llangefni
[VAR/2023/33](#)

12.2 – VAR/2023/8 – Plas Alltran, 3 Turkey Shore Road, Holyhead
[VAR/2023/8](#)

12.3 – LBC/2023/9 - Ysgol Syr Thomas Jones, Amlwch
[LBC/2023/9](#)

12.4 – FPL/2022/264 – Ty'n Cae, Rhostrewhwfa
[FPL/2022/264](#)

12.5 - HHP/2023/59 – Pebbles, Trigfa, Moelfre
[HHP/2023/59](#)

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13 OTHER MATTERS

None to be considered by this meeting.

PLANNING AND ORDERS COMMITTEE

Minutes of the hybrid meeting held on 7 June, 2023

- PRESENT:** Councillor Ken Taylor (Chair)
Councillor Glyn Haynes (Vice-Chair)
- Councillors Geraint Bebb, Jeff Evans, Neville Evans, Trefor Lloyd Hughes, MBE, John I. Jones, R. Llewelyn Jones, Dafydd Roberts, Robin Williams, Liz Wood.
- Local Members: Councillors Pip O' Neill (for applications 7.1, 7.2 and 7.3), Douglas Fowlie (for application 7.4) Nicola Roberts (Portfolio Member for Planning, Public Protection and Climate Change) (for application 12.2)
- Councillor Dafydd Rhys Thomas (for applications 7.1, 7.2, 7.3)
- IN ATTENDANCE:** Development Management Manager (RLJ)
Group Engineer (Development Control and Traffic Management (AR)
Planning Officer
Legal Services Manager (RJ)
Committee Officer (ATH)
- APOLOGIES:** Councillors Jackie Lewis and Alwen Watkin
- ALSO PRESENT:** Councillors Paul Ellis, Aled M. Jones, Derek Owen, Llio Angharad Owen, Gary Pritchard, Dylan Rees, Keith Roberts, Arfon Wyn, Senior Planning Officer (SOH), Planning Officer (HR), Business Systems Manager (EW)
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1. APOLOGIES

Apolo­gies for absence were received from Councillors Jackie Lewis and Alwen Watkin.

2. DECLARATION OF INTEREST

A declaration of interest was made by Councillor Liz Wood under application 7.4 on the agenda.

3. MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meetings of the Planning and Orders Committee held on the following dates were presented and were confirmed as correct –

- 3 May, 2023
- 23 May, 2023 (election of Chair/Vice-Chair)

4. SITE VISITS

The minutes of the planning site visit held on 17 May, 2023 were presented and were confirmed as correct.

5. PUBLIC SPEAKING

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

6. APPLICATIONS THAT WILL BE DEFERRED

6.1 HHP/2023/51 – Full application for the demolition of the existing garage together with the erection of a two-storey annexe at Lancefield, Ffordd Cynlas, Tyn y Gongl

The application was reported to the Planning and Orders Committee at the request of the Local Member on the grounds of over-development of the site and adverse impact on the neighbours' amenities.

The Planning Development Manager reported that following the Committee's decision at its 3 May, 2023 meeting to undertake a site visit, the application site was visited on 17 May, 2023. Additional plans and amendments to the proposed plans relating to the application were received on 15 May, 2023 and were distributed to Local Members and to the Committee's members during the site visit. Re-consultation was conducted on 17 May, 2023 and it is therefore recommended that the application be deferred during the consultation period and a full report presented to the Committee's July, 2023 meeting.

Councillor Dafydd Roberts proposed, seconded by Councillor Trefor Lloyd Hughes, MBE that the application be deferred in accordance with the Officer's recommendation.

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

7. APPLICATIONS ARISING

7.1 46C427L/COMP – Submission of Community Liaison Group Scheme (CLGS) to comply with the Terms of Agreement as set out in Schedule 8, Section 7 and Penrhos Public Access Land Scheme (PPALS) as set out in Schedule 8, Section 13.1 of the Section 106 Agreement attached to planning permission reference 46C427K/TR/EIA/ECON at Land and Lakes, Penrhos Coastal Park, Holyhead

The application was reported to the Planning and Orders Committee as it relates to the discharge of obligations of a Section 106 Agreement attached to the 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. At its meeting held on 3 May, 2023, the Committee resolved to refuse the application contrary to the Officer's recommendation as it deemed it unclear whether the original permission (application reference 46C427K/TR/EIA/ECON) had been lawfully implemented for two reasons, namely –

- Whether the works undertaken (under planning application RM/208/6) constitute a material start and,
- Whether the change of use to the Bailiffs Tower had commenced prior to the expiration of 5 years from the date of the original permission (being 19 April, 2016).

Also submitted for the Committee's information were Land and Lakes' Penrhos Leisure Village Implementation of Change of Use report (April 2021) and Penrhos Coastal Park Commencement of Approved Works report (April, 2021).

The Chair asked the Committee whether it wished to consider the three Land and Lakes applications (7.1, 7.2 and 7.3 on the agenda) as a composite application as at its previous meeting. Councillor Geraint Bebb proposed, seconded by Councillor John I. Jones that the three applications be considered together as one application.

The Legal Services Manager was invited by the Chair to read out a letter by Lisa Black from the Save Penrhos group. The letter read as follows –

“After the last planning meeting regarding Penrhos I was alarmed to hear that our planning councillors had not been privy to the documentation pertaining to the works done to constitute a material start that ultimately lead to the safeguarding of the planning application in perpetuity. Yet our councillors were asked to vote on matters that they were not fully informed on. It became apparent that many questions needed answering.

With the help of an independent planning consultant, we asked for and received a report in which the information provided seemed something that should be shared with our councillors regarding this matter.

Parts of this document include Section 56 of the Town and Country Planning Act which prescribes activities that constitute compliance referred to as a material operation which are defined as any work of construction in the course of the erection of a building; the demolition of a building; the digging of a trench which is to contain the foundation or part of the foundations of a building; the laying of any underground main or pipe to the foundations, or part of the foundations of a building; any operation in the course of laying out or constructing a road or part of a road; any change of use of any land which constitutes a material start. Planning permission is safeguarded subject to the start being authoritatively recognised as lawful in all aspects.

I therefore wish to bring to your attention the following –

There is no vehicular road formed, only what one would recognise as a short length pedestrian footpath in gravel. The boardwalk is a replacement of the original that leads nowhere with no signage for deepwater or beware. These changes seem a mere tokenism and not what constitutes the reasonable threshold of a material start.

I respectively wish to bring to your attention the Bailiffs Tower. Its heritage status is listed Grade 2 by CADW 5766, described as Bailiffs Tower with boundary walls, gates and attached outbuildings at Penrhos Home Farm. There is no evidence of any genuine change of use at the Bailiffs Tower to a visitors’ centre. I would also bring to your attention that the change from Bailiffs Tower to visitors’ centre proposal has no Listed Building consent so it would be unlawful to convert it to a visitors’ centre in any event.

This information is alarming. With respect, does any of the work undertaken meet the statutory activities cited in S56 of the Town and Country Planning Act? We, after professional planning consultants’ advice, believe not! It therefore follows that if this is not lawful then should our esteemed councillors be voting, or should it now be a matter reviewed on appeal or judicial review?”

The Planning Development Manager in addressing the reasons given for refusing the application at the previous meeting, particularly why they are not actual, material planning consideration in determining the application, said that he wished to take this opportunity to remind members that the development was granted planning consent in 2016 and that deciding whether or not the consent has been lawfully implemented is a matter for the courts and not the Committee.

With regard to the status of the works undertaken and whether they represent a material start, condition (04) of planning permission 46C427K/TR/EIA/ECON states that the development hereby permitted shall commence no later than whichever is the later of the following dates – the expiration of 5 years from the date of the grant of this permission, or the expiration of 2 years from the date of the approval of the first Reserved Matters application to be approved. In December 2018, the applicant Land and Lakes submitted a Reserved Matters application under reference RM/2018/6 for raised boardwalk, footways and works to trees subject to a TPO. The application was approved on 7 August, 2020. To implement this reserved matters permission, the applicant had first to discharge a number of pre-commencement conditions and an application under reference DIS/2020/92 was submitted in December, 2020 and was approved on 1 April, 2021. On 15 April, 2021 Land and Lakes submitted a report to the Council (Penrhos Coastal Park Commencement of Approved Works report) stating that works had commenced at Penrhos Coastal Park prior to 19 April, 2021 i.e., within 5 years of the grant or permission in accordance with condition (04). The report shows that works have been undertaken to install a section of pathway at the Penrhos Coastal Park approximately 15m long comprising in part of a compacted stone path with timber edging with some 5m comprising a raised wooden walkway. The photographs in the Land and Lakes report relate to a period between 24 March and 2 April, 2021 and although they show the works to be incomplete those works may have continued thereafter with the test being whether a material start has been made.

The main contention in a letter by Richard Buxton Solicitors dated 30 January, 2023 repeated in the letter by Lisa Black above is that the pathway works do not fall within the ambit of section 56(4)(d) of the Town and Country Planning Act, specifically “any operation in the course of laying out or constructing a road or part of a road.” The Council has subsequently sought its own legal advice through Burges Salmon and Leading Counsel Andrew Tait KC. The latter notes that “road” is not defined in the legislation but that the OED (1989 2nd edition) does refer both to “an ordinary line of communication used by persons passing between different places usually one wide enough to admit of the passage of vehicles as well as of horses or traveller on foot” and to “any way, path or (material) course.” Leading Counsel also notes that the definition in the most recent 2007 edition of the OED, does allow for “a path or way between different places, usually one wide enough for vehicles as well as pedestrians with a specially prepared surface.” Although Counsel acknowledges that “road” might be commonly assumed to involve vehicles which is reflected in the most recent shorter OED definition, he sees no reason why it cannot be given a broader meaning in circumstances where there is a specially prepared surface. Given that the dimensions and length of the pathway are not insubstantial especially in the context of cases where merely “pegging out” has been regarded as sufficient, Leading Counsel therefore considers that on balance the pathway works do fall with the description under section 56(4) (d).

Referring to the issue of the extent of the works carried out prior to approval of the pre-commencement conditions approval on 1 April, 2021, the Development Management Manager said that the Land and Lakes report states that the pathway was constructed between 24 March and 2 April, 2021. This is not clear from the photographs or otherwise. However, as the approval was shortly after some, or most of the works were carried out, Counsel is of the view that this would fall within one of the specific exceptions identified in the case *Whitley & Sons Ltd. v Secretary of State for Wales* as explained in the report. Counsel therefore considers that the pathway works can reasonably be regarded as having implemented the permission subject to considering the interaction with any other conditions. The Officer emphasised that the key consideration is evidence of the development having been lawfully implemented at the time in April, 2021 rather than what is evident now which is immaterial.

The Planning Development Manager informed the Committee of the receipt of an e-mail late the previous afternoon from Hilary Paterson Jones which enclosed a report by Elfed Williams

of ERW Consulting giving an opinion on the works implemented at Penrhos after visiting the site with members of the Save Penrhos group on 1 June, 2023, although as noted the material consideration is whether the works implemented in April 2021 are sufficient to constitute a material start to the development rather than the site as it is at present. With respect to Mr Elfed Williams whose report is entitled An Opinion on the matter of Planning Law, the Leading Counsel engaged by the Council has assessed the information and evidence and is of the opinion that the works undertaken can be considered to fall within the definition of the law. Based on the legal advice from Leading Counsel therefore, the Local Planning Authority considers that a material start has been made and there is no lawful reason why the Committee cannot determine the three applications. As per previous advice it is a matter for the Courts to decide whether the works constitute a material start but no such challenge has been made. The time limit for bringing a claim of judicial review has long passed and as a third-party objector cannot challenge a planning decision, this is not an option either. Currently no decision has been made that would enable a legal challenge to take place. The Committee has a statutory duty to determine planning applications and the information presented as part of the three applications is deemed acceptable in accordance with the requirements of the Section 106 agreement. Therefore, it is not considered that refusal can be justified on this basis.

In relation to the second reason for refusing the three applications namely whether the change of use to the Bailiffs Tower commenced prior to the expiration of 5 years from the date of the original permission on 19 April, 2016, in accordance with condition 70, the Planning Development Manager referred to Condition 71 which states that the change of use shall only commence following the implementation of the first Reserved Matters application approval in respect of the Penrhos phase of the development. As regards compliance with condition 71 commencement of the change of use is subject to prior implementation of the first Reserved Matters Application (RM/2018/6) which was implemented between 24 March and 2 April, 2021. Pre-commencement conditions had to be discharged prior to the implementation of permission RM/2018/6 and this was approved on 1 April, 2021 (DIS/2020/92). The change of use had to commence before 19 April in line with condition 70. As detailed in the Penrhos Leisure Village Implementation of Change of Use Report dated 15 April, 2021 the works to change the use of Bailiffs Tower to a Visitor Information Centre was implemented before 19 April, 2021. The building is suitable for this use, requiring only internal decoration and refurnishing to adapt to this purpose thereby avoiding the need for further planning approval or Listed Building consent. The works undertaken include cleaning, painting, filling and decorating, installation of carpet, signage, table and chairs.

In circumstances where no actual use has changed it could be said to be doubtful that a change of use constituting material development has occurred. However, it is difficult to see what more could have been done in a context where Covid 19 restrictions were in place at the time (April 2021) which prevented people from visiting the site.

The Development Management Manager said it was Hilary Patterson Jones's contention in her e-mail that Covid restrictions had long been removed by April, 2021. He provided the Committee with a detailed analysis of the Covid restrictions timeline in Wales from February to May, 2021 which showed that strict Covid restrictions were in place in the period to April, 2021 and only began to be relaxed during April and May, 2021 following lockdown meaning there is no substance to this allegation and no reason therefore for a further deferral. Furthermore, Counsel has gone on to advise that he considers that the elements of the permission consented in full (section C of the permission) are likely to be regarded as in practice severable from the other permissions and even if it had lapsed, that would not affect the validity of the other permissions. If the applicant had failed to implement the change of use of Bailiffs Tower, this element of the permission (i.e., the full planning permission included in section C of the original permission) is severable from the outline elements of the permission (included in sections A and B of the permission). If the change of use has not

been lawfully implemented these elements would fall away but the rest of the permission would remain.

However, the applicant believes that a change of use has taken place before the expiration date of 19 April, 2021. The Council has no reason to challenge this view given the evidence presented and due to the Covid restrictions in place at the time. The Council is aware that the Bailiffs Tower has not been used as a Visitor Information Centre since the lifting of Covid restrictions. In light of the evidence presented, the Covid restrictions in place at the time and the severability of these elements of the permission, Officers do not consider this a valid reason for refusing the applications. Following the receipt of specialist legal advice by Counsel, Officers are of the view that the development has been lawfully implemented and that the reasons cited by the Committee for refusing the applications are not valid. As noted in a letter to Members on 15 May, 2023 should the applications be refused Land and Lakes are likely to appeal which could entail costs to the Council. The development was granted permission in 2016 and has been lawfully implemented; the applications presented are to submit further details in accordance with the requirements of the Section 106 agreement. The Officer advised that it is not the Committee's role to decide on the legal matters but rather to determine the planning applications. The information presented as part of the three applications is considered sufficient to discharge the obligations of the Section 106 agreement to which they refer, and the recommendation remains to approve the three applications.

Councillor Pip O'Neill, a Local Member referred to the development as one fraught with controversy from the outset and as an emotive subject. He thought that Land and Lakes had done the bare minimum to safeguard the permission and highlighted that signage for the cricket club remains on Bailiffs Tower with no indication of its being used as a Visitor Centre. Councillor O'Neill called for more transparency, sensitivity, and professionalism with these applications given the strength of feeling and opposition to the development with people of the locality scrutinising everything that is going on. He strongly contested the merits of safeguarding the permission as Land and Lakes had undertaken so little work with it being kept alive on the basis of legalities. It had come down to a matter of how the law is interpreted with one side saying not enough has been done and the Council's legal advisors supporting Land and Lakes. Councillor O'Neill said he felt let down by the Planning Service with no one really looking out for the evidence presented by Land and Lakes and making sure that Members are not being hoodwinked. No Officers to his knowledge had been around Penrhos to ensure that what Land and Lakes are saying is true or if they had, he had not seen the evidence. It was his view that the permission had lapsed, that Land and Lakes should make a fresh application and as such the applications presented today should not be voted on at all.

Councillor Dafydd Rhys Thomas said he was disappointed by some of the protestors' attitude in attacking councillors on social media which he felt was unfair and did not help their cause. [Several members of the Planning and Orders Committee speaking later in the discussion also expressed their dismay at some of the e-mails and messages they had received]. He was proud to represent the people of Ynys Cybi most of whom he thought opposed the development in Penrhos. If the application for the development were to be presented today, he didn't believe it would be approved or even considered. The decision at the time was wrong and the Committee had dust thrown into their eyes with the hybrid application. He said the decision is the subject of national attention and that the Committee is in a difficult position. What is under consideration has been described as a side show given that outline permission has been granted for 500 lodges at the Penrhos site. He could see no solid evidence that a material start to the development had been made on this site and that that was a matter of opinion. He called for the Committee to be brave in the face of an appeal and risk of costs; however, how an inspector might see the situation cannot be predicted as it is not black and white especially as climate change is also a factor. He

referred to the saying “to know the cost of everything but the value of nothing” and said that a price cannot be put on Penrhos. He asked the Committee to refuse the applications and to let the matter go to appeal if that is the applicant’s wish.

Councillor Glyn Haynes, the Vice-Chair spoke of being a member of the Committee for seven years and having had to make some difficult decisions in that time which impacted on people. This application topped any decision he had had to make even though on the face of it the decision is about ratifying certain elements of work that should have taken place. He spoke of the Committee’s members being inundated with e-mails, most informative but some bordering on threatening. He emphasised that no one should think that members have been parachuted in to make a decision with no knowledge of Penrhos – he recounted his boyhood experiences living in the area when Penrhos was his stomping ground before the nature reserve was established. He emphasised that no decision today would be taken lightly but would be based purely on the facts as presented to the Committee.

Councillor Jeff Evans, who was also a Local Member, said that he had listened intently to all that had been said and that he understood his statutory duty as a member of the Planning and Orders Committee. He pointed out that the Committee consists of thirteen members of whom only seven are required to approve or refuse an application. That said, it was understandable how the application had proceeded as it has but not to the plaudit of anyone in his view. Whilst he had not been involved historically in this application, he applauded those from the locality who had taken such interest in it and in their desire to maintain Penrhos Coastal Park and their enjoyment of it. Whilst he appreciated the passion, it had to be acknowledged that people and communities are split in their views with their being various other opinions about the benefits or detriments of the application. Councillor Evans said that any application has to be honest, open and transparent and that he would again carry out his role in that spirit at this meeting. However, he felt that he was in an invidious position having been involved in the previous application albeit he had abstained at the time because people might have been aware of which way he might vote, and he did not want it to be considered that he had a pre-determined view. That being so he did not intend to vote on the matter at this meeting believing it to be a terrible situation with people, communities and society split down the middle. He could not see how seven individuals could be expected to vote fairly, honestly and rightly on a matter which the legal teams involved cannot agree upon. He believed the application should be refused again so that it can take its course through to a higher level be that the courts or elsewhere even if that entails costs as people have the right to put their views forward and the Committee has the right to know the legal position. He thought the public should have the opportunity to have professionals who are more skilled than the Committee decide on the matter. He did however want letters questioning his integrity and attacks on councillors and their families to stop. It was his view that the matter should be taken to the right body so that a correct legal decision could be made.

The Chair in saying that he agreed with much of what Councillor Jeff Evans had said referred to the time before he was elected a councillor when he had opposed the original application in 2016 when it was approved. Neither he personally nor the Committee could now change that outcome and it might be fair to say that the Save Penrhos Group also now recognises that the matter can only be resolved through the courts. Should that be the case and the group is successful then everything that has been determined since 2013 would fall. The Chair emphasised that that was not a matter for this Committee which is only concerned today with the three applications to discharge conditions under the Section 106 agreement.

Councillor Robert Ll. Jones also spoke of his personal history with Penrhos and his opposition to the application from the outset before he became a member of the Committee. He thought the situation difficult and was glad there were people willing to fight to overcome it. He also acknowledged the hard work of Planning Officers on this matter over many

months saying that he had every faith in them. Those sentiments were also echoed by Councillors Robin Williams, Jeff Evans Trefor Lloyd Hughes, MBE and Neville Evans as former Chair of the Committee who all recognised the work put in by the Officers in respect of the applications.

Councillor Robin Williams thought that a great deal of time and attention had been given to these applications over a considerable period. The group opposing the application has been asked to provide evidence, although he had yet to see that evidence. The original application was agreed in 2016 and the Committee now must deal with the facts. Councillor Williams said that while he had abstained from voting at last month's meeting having not been persuaded one way or the other, he believed that evidence had now been presented to enable him to come to a decision. As regards the Committee having only 13 members who can decide, he commented that only 12 individuals serve on a jury which makes life affecting decisions often on a majority basis. It was therefore the Committee's duty to come to a decision on these applications.

The Development Management Manager responding to the points raised by the Local Members accepted that the matter evoked strong feelings but refuted the suggestion that Officers were not professional or had not treated the matter with due respect. An independent specialist legal company and Counsel have been instructed to work for the Council because the matter has been taken seriously and if a challenge is not made by the Save Penrhos Group it will likely be made by Land and Lakes leaving the Council caught in the middle. The Planning Officers have been working in the best interests of the Council throughout. While the applications presented are in themselves straightforward, the courts might be the best place to decide on their legality, but they must be determined for a challenge to be made. Responding to a question by Councillor Robert Ll. Jones about whether Land and Lakes had been invited to address the Committee at this meeting, he confirmed that in accordance with the Public Speaking protocol, when the objector spoke at the Committee's meeting in May, an invitation to speak was also extended to the applicant – Land and Lakes, who were happy to leave the matter to the Officers.

Councillor Trefor Lloyd Hughes, MBE also thought that the original application if presented today would likely be rejected and he said that he had heard enough to be able to come to a decision on the applications which are to discharge conditions under the Section 106 agreement only and that he was supportive. Councillor Hughes also asked people not to make threats given that as councillor he was there to make life better for the people of Anglesey.

Councillor Dafydd Roberts proposed that applications 7.1, 7.2 and 7.3 be approved in accordance with the Officer's recommendation. The proposal was seconded by Councillor Robin Williams.

Councillor John I. Jones proposed that the three applications be refused on the basis that they were contrary to the leading principles of the AONB Management Plan to which they referred namely peace and tranquillity, forestry, the protection of important ecological spaces, archaeology and the Welsh language; in respect of tourism to ensure that the management plan improves the characteristics and special qualities of the AONB (which would not best be served by 500 lodges) and as regard leisure to ensure that the special qualities of the AONB works with groups to reduce instances of conflict. The proposal was seconded by Councillor R. Llewelyn Jones.

The Development Management Manager advised that the Section 106 agreement requires the developer to submit documentation e.g., SSSI Management Scheme, to show how the site would be managed in future. It currently costs Land and Lakes £200k per annum to keep the site open to the public; it is private land and is available to the public through permissive

access i.e., Land and Lakes as the landowner is voluntarily allowing the public to access the Penrhos site. Schemes such as the SSSI and AONB Management schemes are important but require an investor to make them possible.

In the ensuing vote on applications 7.1, 7.2 and 7.3, the proposal to approve the three applications was carried by 5 votes to 3 with 2 abstentions.

It was resolved to approve the application in accordance with the Officer's recommendation and report thereby discharging the obligations of the Section 106 Agreement to which it refers. (Councillors Jeff Evans and Neville Evans abstained from voting)

7.2 SI06/2020/3 – Submission of “Penrhos Coastal Park Welsh Language Scheme” under Section 1 (Welsh Language Scheme) of schedule 12 of the Section 106 Agreement completed in connection with planning permission 46C427K/TR/EIA/ECON and the submission of a Deed of Variation to vary the following provisions of this legal agreement: paragraphs 2.2.2 Schedule 8 (Cae Glas Nature Reserve and Visitor Centre Specification), Appendix 2 Bond Table Penrhos Visitor Centre (including the Penrhos Visitor Centre Toilets) and their maintenance, paragraphs 1.1 and 1.2 of Schedule 12 (Welsh Language Scheme) and the substitution of Plan 2 Penrhos Land Drawing – Plan 2 drawing reference PL1114.VW008/Rev.03 dated 03/03/2016 at Land and Lakes, Penrhos Coastal Park, Holyhead

The application was reported to the Planning and Orders Committee as it relates to the discharge of obligations of a Section 106 Agreement attached to the 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. At its meeting held on 3 May, 2023, the Committee resolved to refuse the application contrary to the Officer's recommendation for the reasons set out under item 7.1 above.

It was resolved to approve the application in accordance with the Officer's recommendation and report thereby discharging the obligations of the Section 106 Agreement to which it refers. (Councillors Jeff Evans and Neville Evans abstained from voting)

7.3 COMP/2021/1 – Submission of information necessary to discharge sections Schedule 8, Section 1, Clause 1.1 Car Parking and Public Access Strategy – Penrhos Coastal Park Phase; Schedule 8, Clause 12.2 Ancient Woodland Scheme – Penrhos Coastal Park Phase; Schedule 8, Section 15, Clause 15.1 Green Linkages Scheme – Penrhos Coastal Park Phase; Schedule 8, Section 17, Clause 17.1, SSI Management Scheme – Penrhos Coastal Park Phase; Section 8, Section 19, Clause 19.1 Ecological Survey and Monitoring Scheme – Penrhos Coastal Park Phase; Schedule 8, Section 19, Clause 19.4 Ecological Compliance Audit – Penrhos Coastal Park Phase; Schedule 8, Section 20, Clause 20.1 Existing Tree Management Scheme – Penrhos Coastal Park Phase; Schedule 8, Section 21, Clause 21.1 Warden Service Appointment/Warden Service Annual Reporting – Penrhos Coastal Park Phase; Schedule 8, Section 21, Clause 21.2 Warden Service Security Obligations/AONB Impact and use of Green Linkages monitoring assessment – Penrhos Coastal Park Phase; Schedule 8, Section 21, Clause 21.3 Warden Service, AONB Impact Annual Report commitment – Penrhos Coastal Park Phase; Schedule 9, Section 3, Clause 3.1 Penrhos Leisure Village Phasing Plan – Penrhos Coastal Park Phase; Schedule 11, Section 1, Clause 1.1 Local Labour Plan – Penrhos Coastal Park Phase of the S106 agreement obligations attached to planning permission 46C427K/TR/EI/ECON at Land and Lakes, Penrhos Coastal Park, Holyhead

The application was reported to the Planning and Orders Committee as it relates to the discharge of obligations of a Section 106 Agreement attached to the 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. At its meeting held on 3 May, 2023, the Committee resolved to refuse the application contrary to the Officer's recommendation for the reasons set out under item 7.1 above.

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

- **That Council completes the Deed of Variation so as to amend the legal agreement completed on 19 April, 2016 as part of planning permission 46C427K/TR/EIA/ECON and**
- **Upon completion of the Deed of Variation that the Welsh Language Scheme (February 2021) is approved by the Council so far as it relates to the "Penrhos Public Access Land" as defined in the legal agreement completed on 19 April, 2016.**

(Councillors Jeff Evans and Neville Evans abstained from voting)

7.4 FPL/2022/256 – Full application for the erection of 33 affordable homes, new vehicular access, construction of new estate road together with associated works on land adjacent to Crown Street, Gwalchmai

The application was reported to the Planning and Orders Committee at the request of the two Local Members. At its meeting on 5 April, 2023 it was resolved that a physical site visit be conducted. The site visit took place on 26 April, 2023. At its meeting on 3 May, 2023, the Committee resolved to refuse the application contrary to the Officer's recommendation for reasons of its being outside the development boundary; overdevelopment of the site; the proposal being contrary to the Council's Corporate Plan; negative impact on the Welsh language; inaccuracy of housing figures and community opposition to the scheme.

Councillor Liz Wood declared a prejudicial interest in the application and took no part in the discussion or voting thereon.

The Development Management Manger responded to the reasons cited for previously refusing the application saying that Policy TAI of the JDLP is made for the specific scenario of development consisting of affordable housing adjoining the development boundary. He referred to TAI 16 which provides that as an exception, proposals for 100% affordable housing schemes on sites immediately adjacent to development boundaries that form a reasonable extension to the settlement will be granted where there is a proven need for affordable housing which cannot be met within a reasonable timescale on a market site within the development boundary. Such development must be small scale and proportionate to the size of the settlement unless there is a demonstrable need for a larger site. It is the Officer's view therefore that refusal on the grounds of the proposal's location outside the development boundary cannot be justified as the scheme is acceptable within the confines of Policy TAI 16.

As regards overdevelopment, Policy PCYFF2 stipulates that all housing developments should achieve a minimum density of 30 units per hectare to make the best use of land. The application site measures 0.83 hectares which equates to a housing density of 41 units per hectare thereby meeting the minimum housing density requirement of the policy. Additionally, SPG Design Guide sets that each residential unit should benefit from 50m² of

amenity area. Each unit proposed as part of the application benefits from such amenity area with open space, landscaping and a substantial drainage basis forming part of the site. The Planning Service does therefore not agree that the proposal constitutes overdevelopment of the site.

Although the importance of the Council's Corporate Plan is acknowledged by the Planning Service, it is not a material planning consideration and therefore not a valid reason for refusing the application. With reference to the Welsh language, the application was accompanied by a Welsh Language Impact Assessment in line with Policy PS1 of the JDLP which was assessed by the Local Authority's Policy and Welsh Language Manager. No concerns were raised on account of the proposal's impact on the Welsh language although a query about the wards covered by the assessment was raised and was later clarified by the agent. It is therefore not considered that this provides a basis for refusing the application.

The accuracy of the housing figures provided was questioned by Members at the last meeting. Housing need figures have been provided by the Local Authority's Housing Service and are official figures based on registers kept by the service. As such, it is not considered there is any reason to question the figures and should the Committee be minded to refuse the application on these grounds, it would need to show substantial evidence to the contrary or run the risk of costs at appeal. As regards the strength of community opposition to the proposal, although the Planning Service acknowledges the community's sentiments regarding the proposal, having carefully considered the objections raised in the 119 letters submitted, it found there were no reasons to refuse the application. Local opposition is not grounds for refusal in its own right.

At the last meeting, concerns were also expressed that the proposed development would have an adverse impact on the community of Gwalchmai if they were allocated to individuals outside the village and ward. North Wales Housing Association has since provided a letter of support which sets out the local letting policy which would apply to the site. The policy consists of five priority levels as outlined in the report with priority being given to individuals who are currently or have been part of the community or have a local connection. Having considered the points raised by the Committee, Officers are still of the view that there are no material planning reasons for refusing the application and the recommendation remains one of approval.

Councillor Douglas Fowlie, speaking as a Local Member reiterated the doubts raised regarding the housing figures saying that there were no persons waiting for a 4 bedroomed house even though the development proposes 3 four 4 bedroomed houses. He referred to the location outside the development boundary as a significant consideration meaning the loss of green space in the midst of a climate emergency when such spaces are needed, and he questioned whether further building will then take place on the next boundary. Why take a green field from outside the boundary and build houses on it.? He referred to questions he had asked about the number of housing registers and duplication. He repeated the concern about the pressure on infrastructure and referred specifically to the local school's capacity to be able to accommodate additional children – the developer's contribution would not even cover the cost of a portacabin. Councillor Fowlie said that the definition of "local" and how it is applied is a major concern with the fifth priority level of the Local Letting Policy referring to applicants in relation to the Isle of Anglesey County as a whole. Who therefore is going to come to the area especially as there have been recent problems in Gwalchmai with a tenant having to be evicted from a one-bedroom flat? The development is described as affordable but there are no properties for sale meaning the scheme is for social housing which is misleading, and which is also known as a revolving door because people do not put roots down within the community. Gwalchmai is among the strongest communities on Anglesey and is opposed to the development – had sufficient consideration been given to the 119 letters of objection and the unanimous opposition of the Trewalchmai Community Council?

He referred to errors in the naming of wards which he thought astonishing and errors in the use of data, with data relating to Bodffordd and Bryngwran being used. He also expressed concern about the impact on the Welsh language especially in the context of a “revolving door” policy with people coming and going and not able to settle within the community saying that the Welsh Language Commissioner was looking into it. If the development was for people in the Gwalchmai ward, then perhaps they would be prepared to listen. He said that he had every faith that the Committee would do the right thing regarding the application.

Responding to a question by Councillor Jeff Evans regarding the reasons for the Community Council’s opposition to the proposal, Councillor Douglas Fowle said they were numerous but confirmed that the issue of what “local” meant in practice and whether the houses would be allocated to people from outside the Gwalchmai ward is a major concern especially as 20% of 10 new recently added social properties in the village had been allocated to persons that were not local. The fact that the Community Council is unanimous in its opposition says everything.

Councillor Jeff Evans asked that Community Council feedback from consultations be made known to members of the Committee. The Chair advised that comments on applications by community councils are included in Officers’ reports.

The Development Management Manager addressing some of the points made by the Local Member confirmed that the Housing Service in further discussion had confirmed the accuracy of the figures provided, there being no evidence to suggest otherwise. He clarified that there are two housing registers – the one for social housing and the other for affordable housing (Tai Teg). An element of duplication is inevitable as persons who want social housing may also be willing to accept an offer of affordable housing so appear on both registers. He confirmed that there are currently 50 people on the social housing register. He said that the location of the application site outside the development boundary is acceptable under current policy and had been addressed previously. With regard to the use of data for Bodffordd and Bryngwran, after the Policy and Welsh Language Manager queried the methodology, the developer explained that because the new ward of Crigyll was formed after the last census in 2011, data from Bodffordd and Bryngwran had to be included as part of Crigyll which was accepted by the Policy and Welsh Language Manager. The financial contribution to be made by the developer is based on the criteria contained within the Supplementary Planning Guide and applies to all developments across the Island; the Learning Service has assessed the proposal against the school’s capacity and has stipulated the contribution required to mitigate the impact on the community.

Councillor Neville Evans prior to giving his views as a Local Member asked advice regarding a radio interview he had given that morning clarifying that he did not make any comments that were different to those he had expressed at last month’s Planning Committee meeting where he had also proposed that the application be refused. The Legal Services Manager said that while he had not heard the radio interview he was aware of an interview given by Councillor Evans on the BBC’s website where he questioned the development. The Legal Services Manager advised that he did not think from the excerpt shown that the remarks made were prejudicial to the Member’s taking part in the discussion.

Councillor Neville Evans said that he wanted to go back to the beginning where he thought lessons could be learnt from the public meeting held in Gwalchmai prior to the formation of the Protect Gwalchmai group which is referenced in a letter by the landowner which contained many things which he could not disagree with. However, the letter does not mention that the public meeting was attended by almost 60 people but that there was no representation from the County Council nor the Housing Association with only the developer’s agent present. Councillor Evans said that the meeting would have provided the Council, the landowner, and the Housing Association with an opportunity to put forward their

views at an early stage and to try to sell the scheme. If applications are to be considered thoroughly, fairly and transparently then the pre-application meeting has to involve all parties to ensure an open discussion that is clear about what is being proposed. The views from the public meeting were unanimous (bar one) as were those from the community council in their opposition to the proposed development. Whilst it has been said that the proposal does not contravene any policy or technical requirements, should the view of the whole community be disregarded in such applications and even though the figures might be correct, Councillor Evans said that he maintained that the proposal for 33 houses is an enormous amount for a small rural village such as Gwalchmai and therefore constitutes over-development. The Officer's original report as well as the landowner's letter mention their initial concerns about the scale of the development; this has been a consideration for the service and has been considered by landowner also with the advice being that that amount is needed. Even so there are many other villages in dire need of affordable housing. Councillor Evans said that while he fully supported the provision of affordable housing across the Island, the scheme proposed is not suitable or Gwalchmai for the reasons already given and he appealed to the Committee to remember those reasons. When there is such a level of community opposition including from the Community Council, it has to be a consideration. Councillor Evans proposed that the Committee's previous decision to refuse the application contrary to the Officer's recommendation be reaffirmed. The proposal was seconded by Councillor Jeff Evans for the reasons given and because of the opposition of the Community Council.

The Development Management Manager clarified that with developments of more than ten units, developers must conduct a pre-application consultation with the community to obtain the views of the community before they apply for planning permission; the consultation must also include any specialist consultees but not the Council. Once a planning application has been submitted the Council undertakes its own consultation. The Officer emphasised that the community's views are an important consideration in evaluating a proposal but are not of themselves a reason for refusing an application. He further clarified with regard to the landowner's letter that the Planning Service had not advised that the proposal should be for 33 units – the number of units is a matter for the developer and applications are dealt with by the Planning Service as they are presented.

Councillor Geraint Bebb proposed that the application be approved in accordance with the Officer's recommendation because of the housing need. The proposal was not seconded.

In the ensuing vote the proposal to reaffirm the Committee's refusal of the application was carried with eight members voting for the proposal.

It was resolved to reaffirm the Committee's previous decision to refuse the application contrary to the Officer's recommendation for the reasons given.

8. ECONOMIC APPLICATIONS

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

9. AFFORDABLE HOUSING APPLICATIONS

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

10. DEPARTURE APPLICATIONS

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

11. DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

11.1 HHP/2023/53 – Full application for alterations and extensions at 48 Cae Braenar, Holyhead

The application was reported to the Planning and Orders Committee as the applicant is related to an employee of the Council's Planning Service. The Legal Services Manager confirmed that the application had 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 application proposes the erection of a single storey porch extension underneath the existing small roof structure to create a new entrance porch. The proposed extension is considered small scale and although the occupants of the neighbouring property have objected on account of loss of sunlight, it is not considered the impact is such as to justify refusal. Several dwellings within the estate have created similar porches underneath their existing roof structures. The proposal complies with the relevant policies of the JDLP and it is recommended that the application be approved.

Councillor Jeff Evans proposed, seconded by Councillor Geraint Bebb, 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/2023/108 – Full application for installing various fences measuring 2.2 metres, 2.9 metres and 3.2 metres high with matching gates at Ysgol Syr Thomas Jones, Pentrefelin, Amlwch

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

The Development Management Manager reported that the application is to install various fences and gates measuring 2.2m, 2.9m and 3.2m at several locations around the school. The fences will be high-quality galvanized security fences with green polyester coating Fortex. The fences and gates are required to safeguard the site and will be located on the school premises and will not obstruct visibility from the existing vehicular accesses. The proposal complies with all the relevant policies, and it is not considered that it will negatively affect the area, the setting of the Grade II listed building of the school or any neighbouring properties. The recommendation is therefore to approve the application.

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.

12.2 FPL/2023/66 – Full application for the siting of 120 35.KW solar panels on land at Hen Blas, Bethel, Bodorgan

The application was reported to the Planning and Orders Committee having been called in by a Local Member for the reason there would be local concern.

The Development Management Manager reported that the proposal entails the installation of 120 solar panels which will be arranged in two banks running east to west and will generate 35kw of electricity for the applicant's residential dwelling. The panels will be located at

ground level and mounted on a steel frame covering a total area extending to 194m². Although located in the open countryside the site is well screened from the highway by mature hedges and trees except for a small section where there is a gap in the hedge to accommodate visibility at the site access. The views from this gap are brief and would not have a drastic impact on the character on the area. A substantial amount of landscaping is proposed as part of the application which will screen this view over time. The countryside within which the proposal is located is sparsely developed with the nearest neighbouring property 100m to the northwest and the nearest property facing the front of the panels over 330m away. The panels will have a lifespan of 20 to 25 years after which they can be replaced, subject to planning permission, or removed in accordance with the restoration and aftercare scheme submitted as part of the application. The way in which the panels are fixed to the ground will have minimal impact and will allow the land to return to its former condition at the end of the functioning life of the panels. The Officers are satisfied that the scheme complies with the relevant policies of the JDLP and will have no impact on residential amenity in the area. The recommendation is therefore to approve the application.

Councillor Nicola Roberts who as a Local Member had called in the application due to concern about potential loss of quality agricultural land and the proposal's impact on nearby listed buildings confirmed that having understood that the proposal will be for residential use only and having received no objections from the locality, she did not oppose the application.

The Development Management Manager responding to a query by the Committee about the scale of the proposal for residential use and whether any contribution could be made to the community, advised that the level of electricity generated by the panels is relatively low commensurate with what a domestic dwelling uses in a day and is therefore insufficient to be able to be of benefit to the community. The proposal is a micro scale development in line with Policy ADN 2. The Officer further advised regarding the continued use of the land for grazing purposes that the applicant had confirmed that the method of fixing the panels to the ground will allow continued grazing around and between the panels meaning there will be no long-term effect on the land as agricultural grazing land.

Councillor Geraint Bebb proposed, seconded by Councillor Neville Evans that the application be approved in accordance with the Officer's recommendation.

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

13. OTHER MATTERS

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

**Councillor Ken Taylor
Chair**

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Planning Committee: 05/07/2023

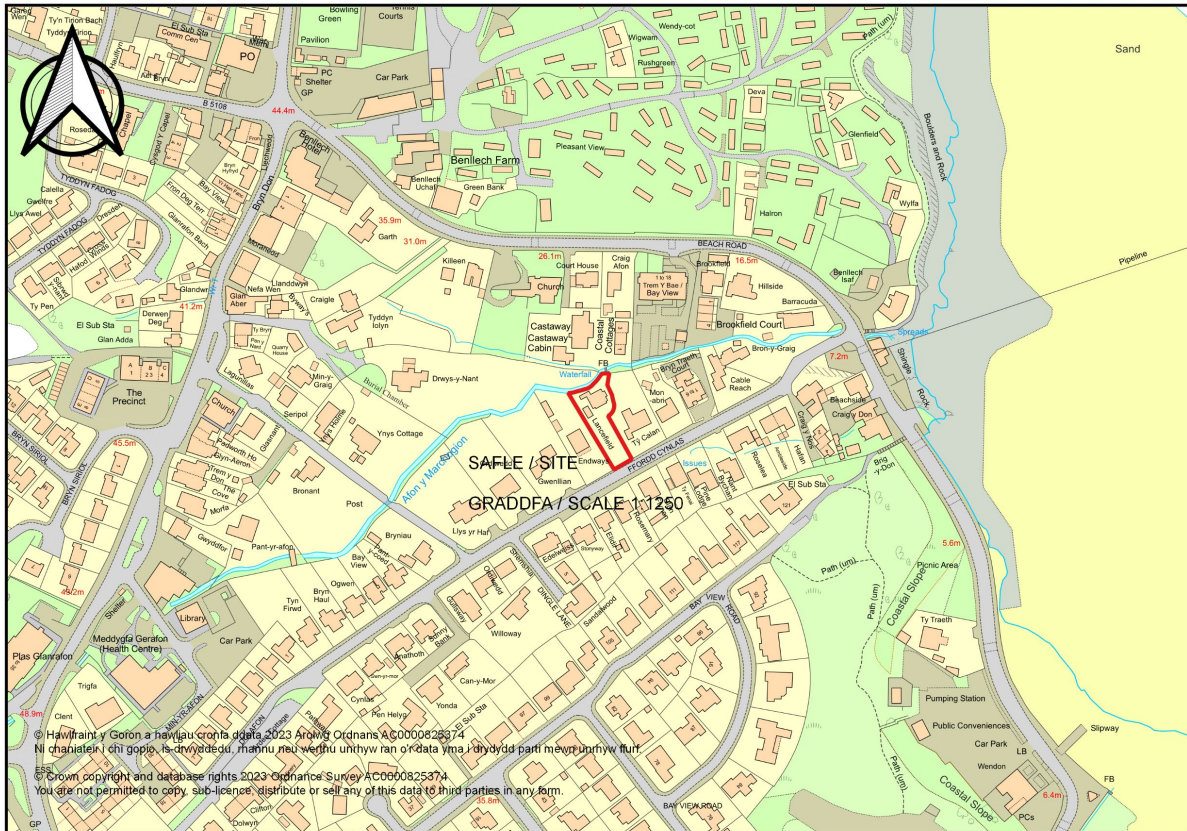
7.1

Application Reference: HHP/2023/51

Applicant: Mr. Steven Lomas

Description: Cais llawn ar gyfer dymchwel y modurdy presennol ynghyd â chodi anecs deulawr yn / Full application for demolition of the existing garage together with the erection of a two storey annex at

Site Address: Lancefield, Ffordd Cynlas, Benllech, Tyn Y Gongl



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

Recommendation: Permit

Reason for Reporting to Committee

The application is called to the Planning and Order Committee at the request of the Local Member Cllr Ieuan Williams on the grounds of over-development of the site and adverse impact on the amenities of adjacent residential properties.

A site visit was conducted 17th May. Planning Committee where members had the opportunity to view the site and its setting.

Proposal and Site

The proposal is for the demolition of existing single storey pitched roof garage together with the erection of a new two storey pitched roof attached annexe to the south western elevation of Lancefield, Benllech.

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 1: Development Boundaries
Policy PCYFF 2: Development Criteria
Policy PCYFF 3: Design and Place Shaping
Policy TRA 2: Parking Standards
Policy AMG 5: Local Biodiversity Conservation

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

Planning Policy Wales – Edition 11 (February 2021)

Technical Advice Note 12 – Design

Response to Consultation and Publicity

Consultee	Response
Cyngor Cymuned Llanfair Mathafarn Eithaf Community Council	Over-development, concerns of local infrastructure capacity (physical and social), and use of the annex as a summer house in the future. In particular the plan does not respect the context of the site and the development would not improve the character and/or appearance of the site. A precedent of allowing also creates a risk of significant adverse impact on local amenities, the development would be a summer house or for residents, as well as more activities, disturbance, vibration, noise, dust, fumes, litter, drains, light pollution, or other forms of pollution and disturbance.
Cynghorydd Ieuan Williams	Requested that the application be called in to be determined by the Planning Committee.
Cynghorydd Euryr Morris	No Response
Cynghorydd Margaret Murley Roberts	No Response
Prifffyrdd a Trafnidiaeth / Highways and Transportation	Detail on Parking Arrangements and CTMP requested and received. No Objections
Iechyd yr Amgylchedd / Environmental Health	Observations

Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Observations
Dwr Cymru Welsh Water	Condition and Advisory Notes provided
Draenio Gwynedd / Gwynedd Drainage	Observations
Cyfoeth Naturiol Cymru / Natural Resources Wales	No Objection

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of any representation was the 09/06/2023. At the time of writing this report, 9 letters and 7 web comments of representation had been received at the department. The main comments can be summarised as follows:

- Concerns regarding the removal of two mature trees at the site
- Works on the boundary of the site effecting neighbouring property
- Future use of the property
- Future use of the Annexe as a separate independent dwelling or holiday let
- Inaccuracies in the application documentation
- Scale of Development – much larger / wider than existing garage and two storey with significant glazing. Closer to the boundary than existing garage.
- Out of Keeping / Character with the area
- Detrimental impact to residential amenity of neighbouring properties due to proximity to boundary, scale, noise and increased vehicle movement
- Drainage concerns with additional occupants at the site
- Concerns of local infrastructure capacity (physical and social)
- Impact to skyline and streetscape
- Daylight warmth impacted.
- Disturbances, Fumes, Noise, Rubbish, drainage, light pollution, Vibration created by the additional accommodation in which this application creates at the site.
- Precedent of permitting creates a risk of significant adverse impact on amenities.
- Objection to accuracy of plans displaying neighbouring windows
- Proximity/ New window opening issues (to be discussed in main report below)

In response to the comments raised:

- The trees removed are within the curtilage of the proposal property and are not protected by a Tree Preservation Order.
- The planning application does not include proposed works at the west boundary of the site. A 2.2m high fence is to be erected, which is only 200mm higher than the existing fence to the east boundary of the application site.
- Future Use –The planning application must be considered as has been submitted. It is not possible to consider any future use as this would be subject to a separate planning application.
- The application received is for an annexe used ancillary to main property, not as an independent dwelling or holiday let. A Justification statement has been received as part of the application. Condition (O5) will restrict the occupation of the annexe to be ancillary to the main dwelling.
- The existing vehicular access is to be retained and the existing substantially sized vehicular parking area at the site is also to be retained.
- Residential amenity/Design/Overdevelopment - The case officer has visited the neighbouring properties internally and externally to analyse different viewpoints. The design and residential amenity will be considered further in the main body of the report.
- Dwr Cymru have been consulted and have confirmed that they are satisfied with the proposal.
- The proposal includes the erection of an annexe which will have a lower roofline than the existing main dwelling, in keeping within the streetscape of Ffordd Cynlas. The placement of Lancefield is set back within the plot of the site with a large front garden towards the main road approx. 38m from the residential road.

- An annexe is, by definition, associated with the main home. In most cases, it will offer a degree of independent living that gives it the feel of the occupier's own space. The annexe introduces one additional bedroom at the address. It is not considered the additional living space creates an excessive additional amount of disturbance to that of the existing dwelling.
- It is considered this application does not create a precedence for other developments as each planning application is dealt with on its own merits.

Relevant Planning History

30C537 - Addasu ac ehangu yn / Alterations and extensions to - Lancefield, Ffordd Cynlas, Benllech. Caniatau / Permitted 24/12/2003

30C537A - Cynlluniau llawn ar gyfer codi annedd ynghyd a chreu fynedfa newydd yn/Full plans for the erection of a dwelling together with the construction of a new access at - Lancefield, Ffordd Cynlas, Benllech. Tynnwyd yn ol / Withdrawn

30C573B - Codi modurdy ynghyd a chreu fynedfa newydd i gerbydau yn / Erection of a garage together with the construction of a new vehicular access at - Lancefield, Ffordd Cynlas, Benllech. Caniatau / Permitted 01/12/2004

30C537C - Dymchwel modurdy integrol presennol ynghyd a chodi annedd gyda modurdy a chreu mynedfa newydd i gerbydau yn / Demolition of existing garage together with the erection of a dwelling with integral garage and construction of a new vehicular access at - Lancefield, Ffordd Cynlas, Benllech. Caniatau / Permitted 05/04/2005

30C537D - Cais diwygiedig ar gyfer codi annedd ar dir ger /Amended application for the erection of a dwelling on land adjoining - Lancefield, Benllech 04/01/2006

HHP/2022/186 - Cais llawn ar gyfer addasu ac ehangu yn / Full Application for alterations and extensions at - Lancefield, Ffordd Cynlas, Benllech, Tyn Y Gongl - Caniatau / Permit 18/08/2022

Main Planning Considerations

Proposal:

The proposal is for the demolition of the single storey pitched roof garage together with the erection of a new two storey pitched roof attached annexe the South West of the main detached 2 storey property of Lancefield, Benllech. The property is located within the residential street of Ffordd Cynlas within the coastal town of Benllech. The property has an L-shaped curtilage with a small rear garden towards the bordering River/waterfall and a substantially large front garden and driveway.

There closest neighbours are to the South East and South West with the site topography sloping down from west to east. The residential street is sloping down to the east towards the beach with various ground level differences between residential properties. The land also slopes downwards from Lancefield towards the main highway. Due to the sloping nature of the site a Streetscape Section was requested, this provides a visual plan displaying how the annexe will fit into the area. The annexe will be set back approx. 38 metres away from the main residential street and is to have a lower roofline than the main dwelling

Design/Justification:

The initial siting of the proposed annexe has been amended from the previous planning application that had been withdrawn. The annexe has been placed further back within curtilage of the property to adjoin the main dwelling. The design has also been amended in the interest of residential amenity as detailed below.

The original design included a two-storey pitched roof design with a cladded rendered first floor, a blank south west elevation, 2 north west rear elevation windows, significant glazing at the front (North east elevation) and significant glazing and door access at the North East Elevation. After initial consultation the proposed scheme was reduced slightly in scale with a smaller 1st floor to avoid a blocking in effect to neighbouring property known as Endways and to ensure that the annexe would not be overbearing or cause loss of light to the neighbouring property.

Policy PCYFF 3 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.

The proposal is a modern building but it is considered that it is in keeping with its surroundings. There is no particular style in this immediate area with a mixture of single storey and dormer bungalows nearby of varying age and design. It is considered that the annexe fits in with the character of the existing property and surrounding area and complies with the requirements of policy PCYFF 3.

The roof of the annexe will be a pitched slate roof and makes use of modern, high-quality materials which will complement the existing property and the surrounding area. The scale and massing of the annexe respects the character of the surrounding built environment and landscape without having a negative impact on the amenities of adjacent residential properties.

This is a two storey self-contained annexe and includes a first-floor living/kitchen/dining space. The ground floor will include one bedroom, Bathroom, Hallway and a Storeroom. Confirmation has been received by the applicants that the proposed annexe will be used incidental to the main dwelling and will be for family use only. For the avoidance of doubt Condition (05) restricts the use of the annexe to be used ancillary to the main dwelling.

The existing garage measures 3.5m Height x 6m Length x 3m Width and the proposed annexe measures 5.5m Height x 10.6 m Length on the ground floor and 8.1m on the first floor, 4.9m Width on the ground floor and 4m Width on the First floor, and the materials to match existing Lancefield property (pitched slate roof and render to match existing) . The annexe will be larger than the existing garage and will be located closer to the West boundary, however the proposal is located immediately adjacent the existing dwelling within a large residential curtilage. Careful consideration has been given to whether the proposal would impact nearby residential properties, this will be discussed below.

Adjacent Residential Properties:

Careful consideration has been given to the impact of the proposal upon the amenities of adjacent residential properties. The ground floor will be used as a storeroom, bathroom, bedroom and hallway with the first floor being used as an open plan living / kitchen / dining room. The ground floor openings of the proposal will be screened from neighbouring properties by the screening proposed as part of this application. The first floor includes 2 rooflights on the northeast elevation, a front elevation window, rear elevation window together with a narrow strip/angular window at the east side elevation which is from the main aspect of the property.

To consider the impact on adjacent residential properties the Supplementary Planning Guidance (SPG) on Urban and Rural Environment is used as guidance. As noted, the SPG is guidance not policy but is used to assist with considering the impacts of developments upon adjacent residential properties. Guidance Note 8: Proximity of developments provides indicative minimum distances which has been considered as part of this planning application. It is important to note that due to the annexe being on the first floor an additional 3m should be added on top of the minimum distances described in the SPG.

The two immediate residential neighbouring properties are Endways to the South West and Ty Calan to the North East. Consideration has been given to the residential amenity of both properties as detailed below.

Endways:

As previously stated, the LPA has given careful consideration to whether the annexe would have a negative impact upon the amenities of this residential property. Initial concerns were raised by the LPA on the impact of the first floor on the side window of the rear extension on Endways. After negotiating with the agents, the planning application was amended to reduce the first-floor length. This has ensured that the side window of Endways will not be affected.

The neighbour expressed concern on the proximity of the annexe to their boundary and overlooking concerns towards the side windows of the main property. It is important to note that Endways is located higher than Lancefield and the side windows of Endways currently overlooks Lancefield.

To consider the impact upon the neighbour it is important to note the distances of the annexe in relation to the annexe.

- Side elevation of the annexe to the boundary of Endways is 2.069m:
The indicative distances of the SPG states a distance of 2.5m should be achieved from a side elevation to the boundary
- Side elevation of the annexe towards the side window of the rear extension of Endways is 11.36m:
The indicative distances of the SPG states a distance of 12m should be achieved from side – Ground Floor Main
- Front elevation of the front window to the side windows of Endways is 10.2m:
The indicative distances of the SPG of the front window to the side windows of Endways states a distance of 24m should be achieved

As previously stated, the SPG is used as guidance and is not a policy. Consideration must be given to other material considerations such as positioning of the windows and current overlooking given the existing topography and its setting within a residential area. Lancefield has numerous windows on the ground floor and has had planning permission for dormer windows in the roof which was approved under planning application HHP/2022/186. The properties in this area overlook each other to some degree due to the orientation and built-up form of development.

The first-floor window is located as far as possible on the proposed elevations from Endways property. Consideration has been given to whether the windows would overlook Endways side windows. The first-floor front window of the annexe may not comply with distances of the SPG; however, consideration has been given to the orientation of the windows, and due to the fact that the side windows of Endways is on an angle and not directly in front of the annexe it is not considered that there will be direct overlooking impact to existing side windows of Endways.

Condition (06) ensures that the on the Southwest Elevation (facing Endways) will be obscurely glazed to avoid any overlooking.

Ty Calan:

Careful consideration has been given to the impact of the proposal upon the amenities of Ty Calan.

The LPA initially expressed concerns on overlooking from the first-floor front and side windows towards Ty Calan. The applicant confirmed that a fence would be erected on the East boundary, the fence will be erected away from the boundary and will alleviate overlooking towards Ty Calan. The proposed Streetscape drawing shows that the fence effectively mitigates any overlooking from the windows of the annexe. Consideration has been given to whether the erection of a 2.2m fence in this location would impact Ty Calan. The applicant would be entitled to erect a 2m high fence under permitted development

rights; therefore, as the fence would only be 200mm above the permitted development rights it is not considered that this would have a negative impact on the neighbour.

To consider the impacts on Ty Calan the LPA has considered the distances of the SPG.

- First floor window (front elevation) of annexe towards boundary of Ty Calan – 8.1 m:
Indicative distances of SPG from first floor window of annexe to boundary – 13.5 m (Ground Floor Main to Boundary, 10.5, additional 3m included due to first floor main living space))
- First floor window of side elevation of annexe towards North East boundary – 9m
Indicative distances of SPG from first floor window of annexe to North East boundary – 13.5m (Ground Floor Main to Boundary, 10.5, additional 3m included due to first floor main living space))

As previously stated above, the SPG is used as guidance and is not a policy. Consideration has been given to current overlooking issues from Lancefield towards Ty Calan and the additional mitigation measures such as the fence to ensure no additional overlooking from the annexe.

It is considered that the proposed fence will mitigate overlooking from the proposed annexe windows towards Ty Calan. Lancefield currently overlooks Ty Calan due to the differences in land levels and consideration must be given to this in the determination process. It is not considered that the annexe will overlook Ty Calan any more than the main dwelling, the fence will ensure that the annexe will not cause any more overlooking issues than the existing. Furthermore, the proposed annexe is located to the South West of the existing property whereby Ty Calan is to the North East of the application site. Any direct overlooking is therefore minimal and will be mitigated by the proposed 2.2m fence. A condition (condition (08)) will be placed on the permission to ensure that the fence will be erected prior to the use of the annexe.

Highways:

The Highways department requested additional information as part of this application. A suitably scaled drawing of parking arrangements, arrangements for surface water drainage and a Construction Traffic Management Plan (CTMP) were all requested.

A CTMP was submitted together with an updated Proposed Site Plan, drawing no. D918.06 Rev D, displaying the parking arrangements of the proposal with the existing vehicular access and parking labelled as existing and a new Aco drainage channel and soakaway to be installed at end of driveway, to ensure that surface water does not discharge onto the highway. The plan displays turning space for vehicles and parking for the proposal conforming to the Local Authority's Parking Standards.

Policy TRA 2 stipulates that parking provision for all modes of transport should be in accordance with the Councils' Parking Standards. It is considered the existing hardstanding/driveway at the site will provide adequate additional parking at the site, in line with Policy TRA 2.

The highway Authority had no objections to the proposed development following receipt of the additional information requested.

Biodiversity Enhancement / Sustainability:

In accordance with the requirements of the Environment Wales Act (2016) for developments to show biodiversity enhancement Schwegler Swift Terrace Bird Boxes are to be placed at the site. This promotes the resilience of ecosystems, so far as consistent with the proper exercise of those functions complying with Policy AMG 5: Local Biodiversity Conservation.

Due to the inclusion of new energy efficient systems, construction techniques and insulation materials it is considered the dwelling will be environmentally sustainable. The proposed plans display new solar panels to be placed on the roof of the South West Elevation providing a sustainable energy source for the occupants of the annexe.

Conclusion

It is considered that the proposal complies with the JLDP policies listed in the main body of the report. There are a variety of different style and scale of dwellings in the immediate area, and it is considered that the proposal is subservient to the main dwelling and will fit in with the general form of development in the immediate area. The proposed annexe will be high quality and will not have a negative impact upon the amenities of adjacent residential 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.

- D918.06 Rev D - Proposed Site Plan
- D918.07 - Proposed Floor Plans, Elevations & Sections
- D918.08 Rev A - Proposed 3D Views
- D918.09 Rev C - Proposed Streetscape Section
- D918.10 – Existing and Proposed East Boundary Elevations
- Construction Traffic Management Plan - Lancefield, Ffordd Cynlas, Benllech, April 2023

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

(03) Demolition or construction works shall not take place outside the hours of 0800-1800hrs Mondays to Fridays and 0800-1300hrs on Saturdays and at no time on Sundays or Public Holidays.

Reason: To protect the amenities of nearby residential occupiers.

(04) 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 should be submitted to and approved in writing by the Local Planning Authority before the use hereby approved commences. The Lighting Scheme shall be designed to maximise energy efficiency and to prevent light pollution. 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

(05) The annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling on land outlined in red on the location plan submitted under planning application reference HHP/2023/51

Reason: For the avoidance of doubt

(06) Prior to the occupation of the extensions hereby approved the window on the proposed south west elevation as labelled on the drawing D918.07 – Proposed Floor Plans, Elevations & Section, shall be Non-opening and 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

(07) 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.

(08) The fence as shown on the North East boundary as shown on drawing no: D918.10 – Existing & Proposed East Boundary Elevations shall be completed prior to the use of the annexe.

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

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, TRA 2, AMG 5**

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: 05/07/2023

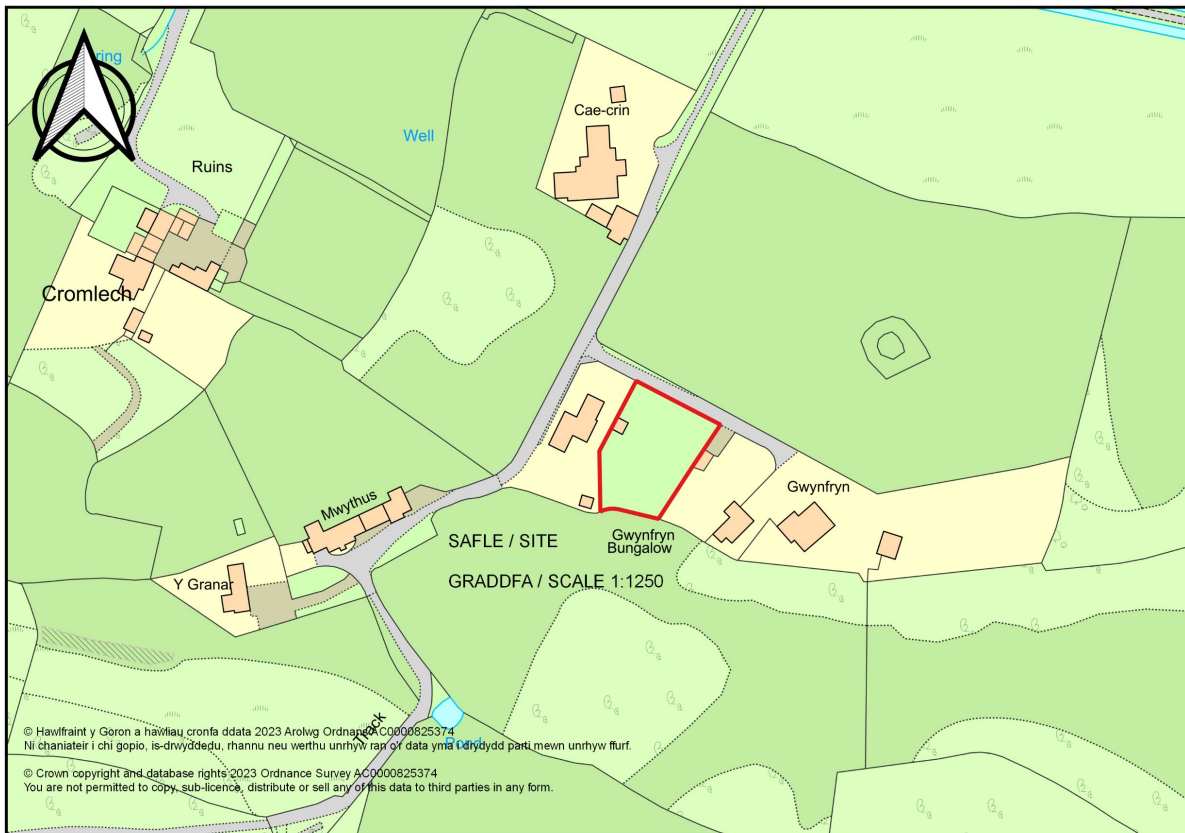
10.1

Application Reference: VAR/2023/18

Applicant: Graham Milner

Description: Application under Section 73 for the variation of condition (01) of planning permission reference 43C54G/VAR (erection of a dwelling) so as to allow a further 5 years to commence development at

Site Address: Gwynfryn Lodge, Rhoscolyn



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

Recommendation: Permit

Reason for Reporting to Committee

The application constitutes a departure from the Joint Local Development Plan and the department are minded to approve.

Proposal and Site

The site is location in the coastal open countryside of the Rhoscolyn area, with access to the site provided via a single width private lane which also forms means of access to several properties. The site itself is a grassed plot, which is sandwiched between 2 other residential properties. The site includes a

relatively steep gradient, rising from the road towards the back of the site. The site benefits from valid planning permission for the erection of a single dwelling under application reference 43C54C/DA and 43C43B, which has also been safeguarded in perpetuity by virtue of a certificate of lawful use granted under 43C54E. Subsequent permission was given for an amended design under application 43C54F, with the lifetime of this permission having been extended for an additional 5 years under 43C54G/VAR.

This application is made to further extend the lifetime of the permission only.

Key Issues

The key issue is whether it is considered acceptable to further extend the lifetime of the permission in light of current policies.

Policies

Joint Local Development Plan

Policy PCYFF 1: Development Boundaries
 Policy PCYFF 2: Development Criteria
 Policy PCYFF 3: Design and Place Shaping

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Trefor Lloyd Hughes	No response.
Cynghorydd Keith Robert Roberts	No response.
Cynghorydd Dafydd Rhys Thomas	No response.
Polisi Cynllunio / Planning Policy	General policy context provided.
Cyngor Cymuned Rhoscolyn Community Council	No response.

Publicity was afforded to the scheme by the posting of personal letters to occupiers of neighboring properties together with the placing of a site notice in the vicinity of the site together with an advert in the local press. At the time of writing this report, one letter of objection has been received at the department, the contents of which raised the following points;

- Site has been used as camping site.
- Site is unsuitable for dwelling

In response to these points;

- Legal advice was sought regarding this matter as it was concluded *****
- This application is made purely to extend the lifetime of a permission on a site which includes a permission safeguarded in perpetuity. As such, the principle of the development has been established and safeguarded and consequently is not up for contention as part of this application.

Relevant Planning History

43C54B - Erection of a bungalow on land adjoining Gwynfryn Lodge, Rhoscolyn. Approved 11/6/1991

43C54C/DA - Detailed plans for the erection of a bungalow on land adjacent to Gwynfryn Lodge, Rhoscolyn. Approved 20/02/1992

43C54D - Application for a certificate of lawfulness to show that a material start has been made on planning permission 43C54C\DA on land adjacent to Gwynfryn Lodge, Rhoscolyn. Withdrawn.

43C54E - Application for a certificate of lawfulness to show that a material start has been made on planning permission 43C54C\DA on land adjacent to Gwynfryn Lodge, Rhoscolyn. Approved 25/5/2012

43C54F - Full application for amended plans for the erection of a dwelling together with the construction of a cesspit on land at Gwynfryn Cottage, Rhoscolyn. Approved 26/4/2013.

43C54G/VAR - Application under Section 73 for the variation of condition (01) of planning permission reference 43C54F (erection of a dwelling) so as to allow a further 5 years to commence development at Gwynfryn Lodge, Rhoscolyn. Approved 29/5/2018.

Main Planning Considerations

Principle of Development

An overview of the site history has been provided earlier of this report, with the main points to consider as following;

- 43C54E safeguards permission for a dwelling on site in perpetuity.
- Permission for an amended design was permitted under 43C54F and later extended under 43C54G/VAR.

As such, it is considered the main issue for this application is the acceptability of the design. No significant amendments have occurred to the policy context surrounding design to such an extent where the department would reach a different conclusion to what was determined on application 43C54F. As the site benefits from a lawful use certificate for the erection of a dwelling, it is not considered that the principle of the development is in contention. Due to the above, the department are obliged to recommend grant of this application and a subsequent additional 5 years to commence the development.

Conclusion

There are no valid reasons to oppose the development and therefore will be recommended for approval.

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 Section 91(1) of the Town and Country Planning Act 1990.

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

- **Site Location Plan / D-1062-D4-12-PL19**
- **Topographic Survey / D-1062-4-12-PL02 1012**
- **Site Sections / D-975-07-10- PL03 1012**
- **Site Layout Plan / D-1062-4-12-SS02 0612**
- **Proposed Sections / D-1062-4-12-PL08 1012**
- **Sections A-A & B-B Gwynfryn Cottage Gwynfryn Rhoscolvn / 12_128/02 21/12/12**
- **Proposed Plans / D-1062-4-12-PL05 1012**
- **Proposed Elevations Sheet 1 / D-1062-4-12-PL06 1012**
- **Proposed Elevations Sheet2 / D-1062-4-12-PL07 1012**

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

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

Reason: In the interests of visual amenities of the locality also to ensure that the development conserves and enhances the Area of Outstanding Natural Beauty.

(04) No development shall commence until full details of all external materials and finishes (which shall include such details for all building(s)), hard landscaped areas, engineering operations and all other works associated with the development) which shall include colours, construction details (where appropriate) has been submitted to and approved in writing by the Local Planning Authority. The details approved under this condition shall be implemented in full and adhered to in the completion of the development hereby approved.

Reason: In the interests of visual amenities of the locality also to ensure that the development conserves and enhances the Area of Outstanding Natural Beauty.

(05) The external elevations of the development shall where specified on the plans hereby approved be finished with a local natural stone or a stone of equivalent colour texture and weathering characteristics. No development shall commence until samples of the natural stone have been submitted to and approved in writing by the Local Planning Authority. The details approved under this planning condition must thereafter be adhered to.

Reason: In the interests of visual amenities of the locality also to ensure that the development conserves and enhances the Area of Outstanding Natural Beauty.

(06) No development shall take place until a scheme of landscaping and tree planting for the application site has been submitted to and approved in writing by the Local Planning Authority. The scheme approved under the provisions of this condition shall be implemented not later than the first planting season following the occupation of the dwelling.

Reason: In the interest of the visual amenities of the locality, the Area of Outstanding Natural Beauty and to secure an ecological enhancement.

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

Reason: In the interest of the visual amenities of the locality, the Area of Outstanding Natural Beauty and to secure an ecological enhancement.

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

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

(09) All foul drainage shall be contained within a sealed and watertight cesspool, which shall be fitted with a level warning device to indicate when the tank is full. The dwelling hereby approved shall not be occupied until the cesspool has been installed and is fully operational.

Reason: To ensure that foul drainage arrangements for the proposed development are satisfactory.

(10) The car parking accommodation shall be completed in full accordance with the details as submitted before the dwelling(s) or flat(s) to which it relates is occupied and shall 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.

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: TRA2, PS5, PCYFF1, PCYFF2, PCYFF3, PCYFF4, PS17, AMG1, AMG3 and 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.

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Planning Committee: 05/07/2023

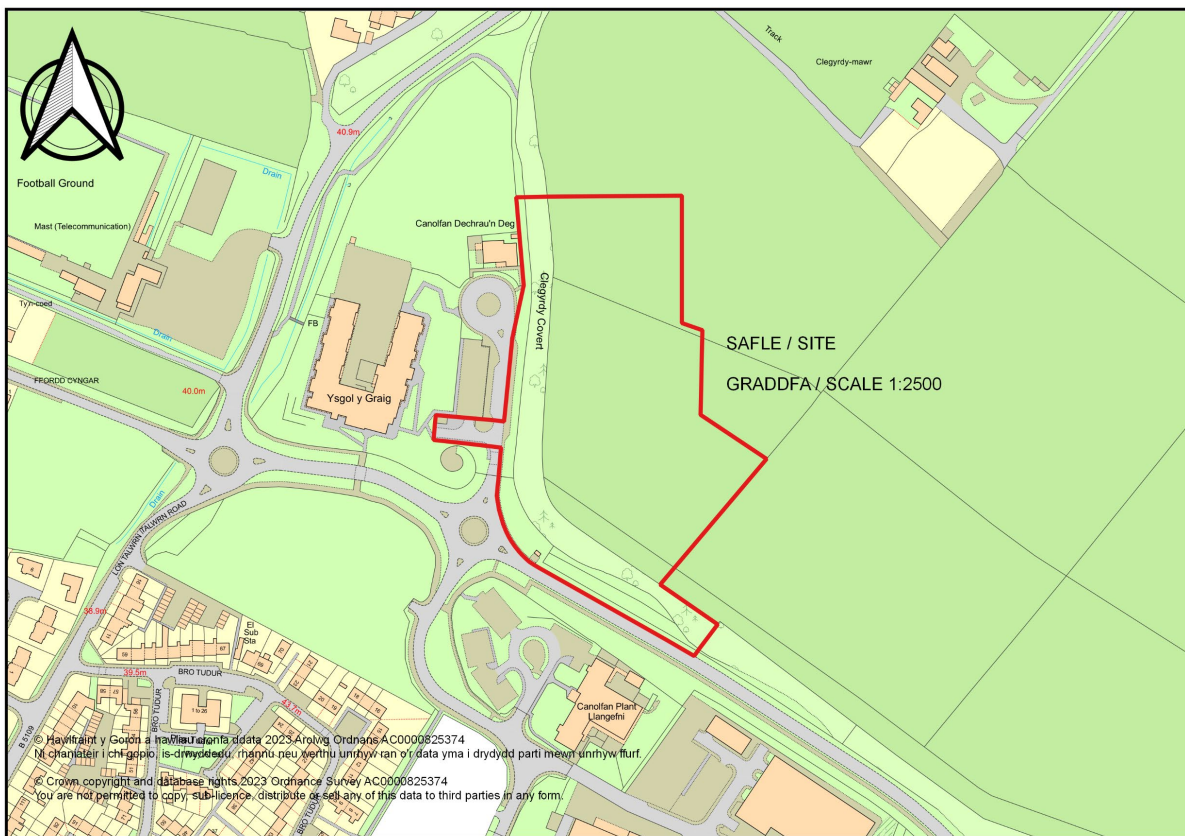
12.1

Application Reference: VAR/2023/33

Applicant: Director of Education, Skills and Young People

Description: Application under Section 73 for the variation of condition (18) (Landscaping) and (20) (Pedestrian Paths) of planning permission reference FPL/2021/361 (Full application for the erection of a new foundation phase and child care unit, external play areas, car park and associated works) so as to approve details in relation to condition (18) after the work has commenced on site and allow the re-wording of condition (20) to allow information to be submitted prior to the commencement of any path works on land adjacent to

Site Address: Ysgol y Graig, Llangefni.



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

Recommendation: Permit

Reason for Reporting to Committee

The application has been presented to the Planning and Orders Committee as the applicant is the Isle of Anglesey County Council.

Proposal and Site

This is an application to vary condition (18) (landscaping) to allow the landscaping details to be submitted after the commencement of work on site as well as vary the wording of condition (20) (pedestrian paths).

Key Issues

- Does the information provided satisfy the requirements of condition (18)
- Is it acceptable to amend the wording of condition (20) to allow further time to provide pedestrian path information.

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 PCYFF 5: Carbon Management
Policy PCYFF 6: Water Conservation
Policy TRA2: Parking Standards
Policy TRA 4: Managing Transport Impacts
Strategic Policy PS 4: Sustainable Transport, Development and Accessibility
Strategic Policy PS 5: Sustainable Development
Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
Policy ISA 1: Infrastructure Provision
Policy ISA 2: Community Facilities
Policy AMG 3: Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character
Policy AMG 5: Local Biodiversity Conservation
PS1 – Welsh Language and Culture
PS20: Preserving and Where Appropriate Enhancing Heritage Assets
Policy AT4: Protection of Non-Designated Archaeological Sites and their Setting

Planning Policy Wales (Edition 11)

Technical Advice Note 5: Nature Conservation and Planning (2009)
Technical Advice Note 11: Noise
Technical Advice Note 12: Design (2016)
Technical Advice Note 15: Development and Flood Risk (July 2004)
Technical Advice Note 18: Transport (2007)
Technical Advice Note 20: Welsh Language
Technical Advice Note 24: The Historic Environment

Supplementary Planning Guidance

Maintaining Distinctive and Sustainable Communities – July 2019
Design Guide for the Urban and Rural Environment – March 2008
Parking Standards – (2008)

Response to Consultation and Publicity

Consultee	Response
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Cynghorydd Paul Charles Ellis	No response
Cynghorydd Dylan Rees	No response
Cynghorydd Non Lewis Dafydd	No response
Cyngor Tref Llangefni Town Council	Recommends Approval

The proposal was advertised by posting individual letters to all adjacent residential properties. The expiry date to receive representations was the 28th June, 2022. At the time of writing the report no letters had been received.

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 07/7/22

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 28/7/22

DIS/2022/62 - 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 - Ysgol Y Graig, Ffordd y Coleg, Llangefni -Condition Discharged 06/10/2022

Main Planning Considerations

Planning permission was approved under planning application FPL/2021/361 for the erection of a new foundation phase and child care unit on land adjacent to Ysgol y Graig, Llangefni.

This is an application under Section 73 for the variation of condition (18) (Landscaping) and (20) (Pedestrian Paths) of planning permission reference FPL/2021/361 (Full application for the erection of a new foundation phase and child care unit, external play areas, car park and associated works) so as to approve details in relation to condition (18) after the work has commenced on site and allow the re-wording of condition (20) to allow information to be submitted prior to the commencement of any path works on land adjacent to Ysgol y Graig, Llangefni

Condition (18) required the applicant to provide hard and soft landscaping including an indication of which existing trees were to be retained with Tree Protection Measures for their protection. throughout the course of development prior to the commencement of work on site; however, work has commenced on the site without formally discharging the condition. The applicant has provided full landscaping details as part of this planning application as well as details of which trees are to be retained. The details also include Tree Root Protection Heras Fence to ensure that the trees are protected throughout the course of the development.

Condition (20) stated that full details of pedestrian link paths shall be submitted to and approved in writing prior to commencement of work on site; however, work has commenced on the site without formally discharging the condition. The applicant has requested that the wording of the condition is amended so that full details of pedestrian link paths are submitted to and approved in writing by the Local Planning Authority prior to the works commencing on the paths.

Conclusion

The landscaping information submitted with the planning application satisfies the requirements of condition 18. It is also considered acceptable to amend the wording of condition (20) to allow the applicant further time to submit details of the pedestrian link paths prior to commencement of the paths.

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) (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.

Condition (02)(a) discharged under planning application DIS/2022/62

Reasons: 1) To ensure the implementation of an appropriate programme of archaeological mitigation in accordance with the requirements of Planning Policy Wales 2021 and TAN24: The Historic Environment.

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

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

Reason: In the interest of public health

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

Reason: To protect the amenities of nearby residential occupiers.

(05) Development shall be carried out in accordance with the recommendations stated within the Philip Dunbavin Acoustics Noise Impact Assessment dated November 2021

Reason: To safeguard the amenities of future occupants.

(06) The development shall take place in accordance with Section 6 Mitigation Recommendations contained within the Protected Species Survey, Bat Activity/Transect Survey, Great Crested Newt Presence/Absence Surveys and Preliminary Ecological Survey submitted under application reference FPL/2021/361.

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

(07) No development (excluding archaeological works and temporary access) including site clearance, with the potential to impact on invasive species, shall commence until a site-wide Biosecurity Risk Assessment (particularly Montbretia) 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.

Reason: 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.

Condition (07) discharged under planning application DIS/2022/62

(08) The access is to be completed in accordance with the details shown in drawing no. GTA-HAL-XX-XX DR-C-6010 and it shall be 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.

(09) The access shall be constructed with a minimum 40 metre by 40 metre splays on either side with the existing wall/fence/hedge along the highway boundary removed and replaced along the line of the vision splays where they lie within the curtilage of the site.

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

(10) The existing highway boundary wall/fence/hedge 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 for a distance of 40 metres either side of the access and nothing exceeding this height erected within 2 metres of the said wall/fence/hedge 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.

(11) 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.

(12) 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 development is occupied.

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

(13) The car parking accommodation shall be completed in full accordance with the details as shown on the attached plan drawing reference GTA-HAL-XX-XX-DR-C-6007 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.

(14) The turning area shall be completed in full accordance with the details hereby approved under drawing reference GTA-HAL-XX-XX-DR-C-6009.

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

(15) The vehicle loading and unloading area shall be completed in accord with details hereby approved before the use hereby permitted is commenced.

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

(16) 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.

(17) The commencement of the development shall not take place (excluding archaeological works and temporary access) until there has been submitted to and approved in writing by the Local Planning Authority, a Construction Traffic Management Plan (CTMP). The CTMP shall include:

- (i) The routing to and from the site of construction vehicles, plant and deliveries, including any Temporary Traffic Management Measures and Traffic Regulation Orders necessary to facilitate safe construction of the scheme including any advance, preparatory and demolition works;**
- (ii) The type size and weight of construction and delivery vehicles to be used in connection with the construction of the development, having regard to the geometry, width, alignment and structural condition of the highway network along the access route to the site;**
- (iii) The timing and frequency of construction and delivery vehicles to be used in connection with the development, having regard to minimising the effect on sensitive parts of the highway network and construction routes to the site, including regard for sensitive receptors e.g. schools and network constraints;**
- (iv) Identification of the routing strategy and procedures for the notification and conveyance of indivisible "out of gauge" loads. This includes any necessary measures for the temporary protection of carriageway surfaces; for the protection of statutory undertakers' plant and equipment; and for the temporary removal of street furniture;**
- (v) Measures to minimise and mitigate the risk to road users in particular non-motorised users;**
- (vi) The arrangements to be made for on-site parking for personnel working on the Site and for visitors;**
- (vii) The arrangements for storage of plant and materials and the loading and unloading of plant and materials**
- (viii) Details of measures to be implemented to prevent mud and debris from contaminating the adjacent highway network;**
- (ix) Proposals for communicating information and advance notice relating to the approved plan to the Council and other stakeholders; The construction of the development shall be completed in accordance with the approved plan.**

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

Condition (17) discharged under planning application DIS/2022/62

(18) Notwithstanding the submitted plans, no development (excluding archaeological works and temporary access) which includes site clearance shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of hard and soft landscaping. The scheme shall include indications of existing trees (including root protection areas) and

hedgerows on the land, identify those to be retained and set out Tree Protection Measures for their protection throughout the course of development.

Reason: In accordance with JLDP policy PCYFF 4

Condition (18) discharged under planning application VAR/2023/33

(19) A landscape management plan, including management responsibilities and maintenance schedules for all landscaped areas, shall be submitted to and approved in writing by the local planning authority prior to the use of the buildings hereby permitted. The landscape management plan shall be carried out as approved.

Reason: In accordance with JLDP policy PCYFF 4

(20) Notwithstanding the submitted plans, details for, and the route of the pedestrian link paths, as informed by retained trees and no-dig path guidelines shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on the pedestrian link path. The path construction works shall be carried out in accordance with the approved details prior to the building hereby approved being brought into use.

Reason: In accordance with JLDP policy PCYFF 4

(21) Notwithstanding the submitted plans, no development (excluding archaeological works and temporary access) which includes site clearance shall take place at the main access until a pre-commencement meeting is held on site attended by the developer's appointed arboricultural contractor or landscape architect, the site architect or manager and a representative from the Local Planning Authority (LPA) to agree tree removals and position of tree protection measures as set in Condition (19). The development shall thereafter be carried out in accordance with the approved details.

Reason: In accordance with JLDP policy PCYFF 4.

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

- Location Plan PL(00) 01
- External Lighting and Power Layout – YYG-ESD-01-XX-DR-E-6900 Rev T4
- Landscape General Arrangement – 513-STO-00-00-DR-L-0001 Rev C01
- Boundary Design – 513-STO-00-00-DR-L-0005 Rev P06
- Hard Landscape Design – 513-STO-00-00-DR-L-0006 Rev C01
- Soft Landscape Design – 513-STO-00-00-DR-L-0007 Rev C01
- Street Furniture Design - 513-STO-00-00-DR-L-0008 Rev P06
- Block Plan – PL(00)02
- Site Sections - 513-STO-00-00-DR-L-0003 Rev P02
- Drainage and Highways General Arrangements – GTA-HAL-XX-XX-DR-C-5020 Rev P3
- Vehicle Tracking Fire Appliance Clockwise Traffic Flow – GTA-HAL-XX-XX-DR-C-6001 Rev P4
- Vehicle Tracking Fire Appliance Counter Clockwise Traffic Flow – GTA-HAL-XX-XX-DR-C-6002 Rev P4
- Vehicle Tracking Large Coach Vehicle Clockwise Traffic Flow - GTA-HAL-XX-XX-DR-C-6003 – Rev P4
- Vehicle Tracking Coach Vehicle Clockwise Traffic Flow - GTA-HAL-XX-XX-DR-C-6008 Rev P1
- Vehicle Tracking Private Car Clockwise Traffic Flow - GTA-HAL-XX-XX-DR-C-6009 Rev P1

- Site Entrance Visibility Splays - GTA-HAL-XX-XX-DR-C-6010 Rev P1**
- Existing Car Park and Road Alterations - GTA-HAL-XX-XX-DR-C-6005 Rev P4**
- Standard Details - GTA-HAL-XX-XX-DR-C-6006 Rev P4**
- Proposed Road Markings and Traffic Flow - GTA-HAL-XX-XX-DR-C-6007 Rev P4**
- Proposed Elevations 1 of 2 – PL (00)(04) Rev A**
- Proposed Elevations 2 of 2 – PL(00) 05 Rev A**
- Proposed Floor Plan – PL(00) 03**
- Sections – PL(00)06**
- Visualisations Sheet 1 of 3 – PL(00)07**
- Visualisations Sheet 2 of 3 – PL(00)08**
- Visualisations Sheet 3 of 3 – PL(00)09**
- Arboricultural Impact Assessment by Amenity Tree Care**
- Preliminary Ecological Appraisal by Udall-Martin Associates Ltd dated September 2021**
- Great Crested Newt Presence/Absence Surveys by Udall-Martin Associates Ltd dated September 2021**
- Bat Activity/Transect Surveys - by Udall-Martin Associates Ltd dated September 2021**
- Protected Species Survey by Udall-Martin Associates Ltd dated May 2022**
- Transport Assessment – ATKINS dated October 2021**
- Residential Amenity Report Version 2.0 dated 4/11/21**
- Flood Consequence Assessment by HALTEC Consulting Civil and Structural Engineers – dated 8/11/21**
- Sustainability and Energy Strategy – YYG-ESD-01-XX-RO-N-0008**
- Noise Impact Assessment by Philip Dunbavin Acoustics Ltd – dated November 2021**
- Design and Access Statement dated 23/5/22**
- Archaeological Evaluation (Trial Trenching)**
- Drainage Strategy Statement - HALTEC dated 15/11/21**
- External Lighting and Power Layout – YYG-ESD-01-XX-DR-E-6900 Rev T5**

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

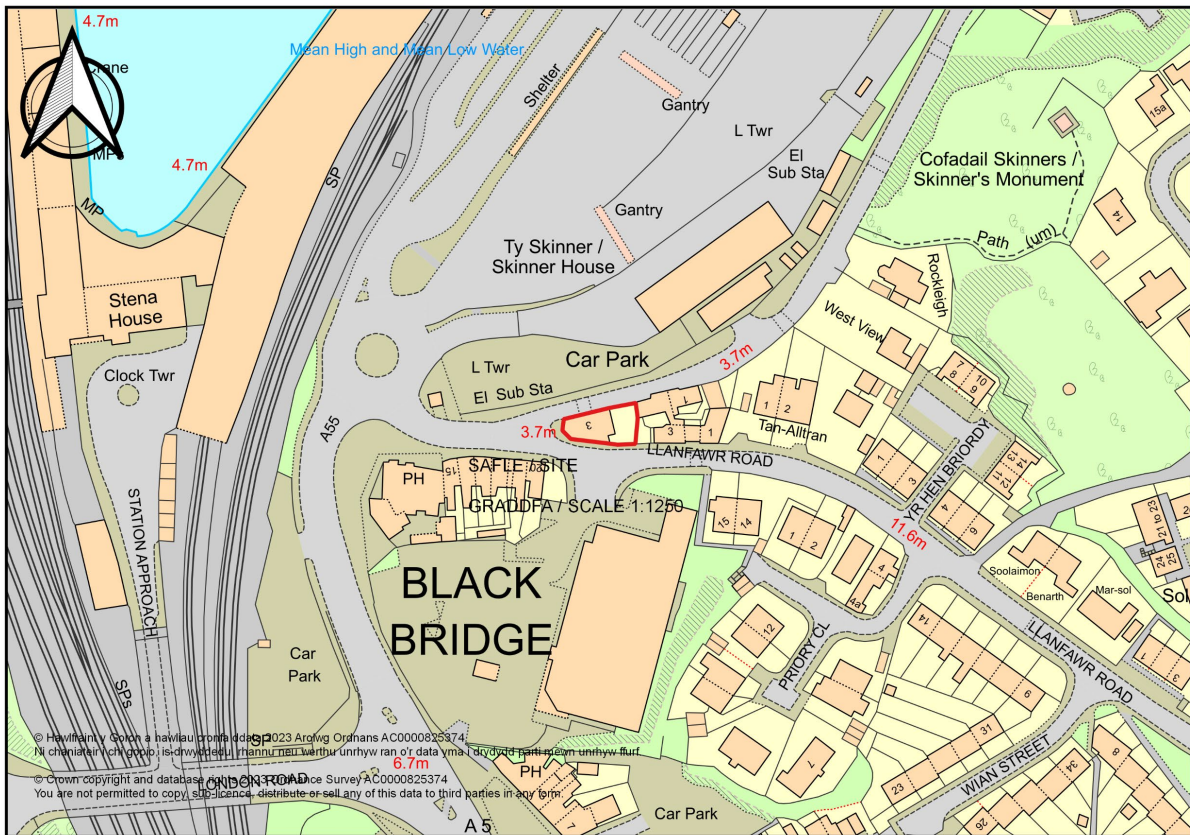
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: VAR/2023/8

Applicant: Head of Housing Services

Description: Application under Section 73 for the variation of condition (07)(Approved Plans) of planning permission reference FPL/2021/1 (change of use of existing listed building into 4 social housing flats together with alterations and extensions) so as to amend the design at

Site Address: Plas Alltran, 3 Turkey Shore Road, Holyhead



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

Recommendation: Permit

Reason for Reporting to Committee

The planning application is reported to the Planning Committee as the planning application has been submitted by the Local Authority's Housing Department.

Proposal and Site

The proposed development site is located on acutely angled corner site between Turkey Shore Road and Llanfawr Road, Holyhead. The development proposed is for the variation of the scheme approved under

planning application reference FPL/2021/1 for the creation of 4 affordable residential units including a small contemporary extension to facilitate access to one of the units.

Key Issues

The application's main issues are;

- i. Impact on character of Listed Building
- ii. Impact on amenities of 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
 Policy TRA 2: Parking Standards
 Policy TRA 4: Managing Transport Impacts
 Policy TAI 1: Housing in Sub-Regional Centre & Urban Service Centres
 Policy TAI 8: Appropriate Housing Mix
 Policy TAI 15: Affordable Housing Threshold & Distribution
 Policy AT 2: Enabling Development
 Policy AMG 5: Local Biodiversity Conservation
 Strategic Policy PS 1: Welsh Language and Culture
 Strategic Policy PS 4: Sustainable Transport, Development and Accessibility
 Strategic Policy PS 5: Sustainable Development
 Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
 Strategic Policy PS 20: Preserving and where Appropriate Enhancing Heritage Assets

Planning Policy Wales (Edition 11, February 2021)

Technical Advice Note 12: Design (2016)

Technical Advice Note 15: Development and Flood Risk (2004)

Technical Advice Note 24: The Historic Environment (2017)

Response to Consultation and Publicity

Consultee	Response
Ymgynghorydd Treftadaeth / Heritage Advisor	No response to date - however the Listed Building application has been approved
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Support
Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service	No comments
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objection
Priffyrdd a Trafnidiaeth / Highways and Transportation	Requested details of the proposed parking on the site. However during the course of determining the previous full application (FPL/2021/1) for the change of use of the building into 4 affordable units the Highway Authority confirmed that they were satisfied with the proposal. Whilst they acknowledged that there was no parking facilities

	with the proposal they were satisfied that there were adequate car parking facilities available nearby.
Strategol Tai / Housing Strategy	Proposal exceeds affordable housing provision
Pennaeth Gwasanaeth / Head of Service, Rheoleiddio a Economaidd / Regulation and	No response
Ymgynghoriadau Cynllunio YGC	Comments regarding flooding however the proposal is to amend the design of the previously approved scheme and these matters have been addressed during the consideration process of the previous application
Dwr Cymru Welsh Water	Recommended conditional approval
Cadw Consultations	No response
Mr Nathan Blanchard	No response
Gwasanaeth Addysg / Education Service	No response
Cyngor Tref Caergybi / Holyhead Town Council	No response
Cynghorydd Jeff M. Evans	No response
Cynghorydd Pip O'Neill	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 01/03/2023. At the time of writing this report no letters of representation had been received at the department.

Relevant Planning History

19C719/LB - Cais adeilad rhestredig i ddymchwel 3 Lon Llanfawr, er mwyn cael ei ddefnyddio fel rhan o cais cynllunio rhif 19C400A/TR er mwyn codi arfarchnad dosbarth A1 a maes parcio cysylltiedig yn / Listed building consent for the demolition of 3 Llanfawr Road, to be used as part of planning application ref No 19C400A/TR for the erection of a class A1 retail foodstore and associated car parking on Tir ger / Land adj Llanfawr Rd & Foundry St, Black Bridge, Caergybi / Holyhead.– Tynnwyd yn ol / Withdrawn

19LPA696/CC – Caniatad adeilad rhestredig ar gyfer dymchwel / Listed building consent for the demolition of Plas Alltran, Caergybi / Holyhead – Dim gwrthwynebiad / No objection 6/3/96

FPL/2021/1 - Cais llawn ar gyfer newid defnydd adeilad rhestredig i fod yn 4 fflat llety cymdeithasol ynghyd ag addasiadau ac estyniadau / Full application for change of use of existing listed building into 4 social housing flats together with alterations and extensions at Plas Alltran, 3 Turkey Shore Road, Caergybi/Holyhead - Caniatáu / Permit 30/07/2021

Main Planning Considerations

Planning permission has been granted for the change of use of the building into 4 affordable units and the planning permission is extant and the planning permission is safeguarded.

The application is to amend the design of the previously approved scheme with the removal of the former contemporary zinc two storey extension to the rear of the building together with the reconfiguration of the internal layout and staircase and amendments to the opening and a small rear single storey extension.

The application's main issues are;

- i. Impact on character of Listed Building
- ii. Impact on amenities of neighbouring properties

i. Impact on character of Listed Building - The property is a Grade II Listed Building. Listed Building Consent has been granted under planning application reference LBD/2023/1 for the amendments currently proposed.

The prominently located listed building has been vacant for nearly 50 years. The building's condition is deteriorating at an increasing pace and will continue to do so until remedial works are undertaken.

The granting of planning permission and implementation of the proposals would safeguard the building's future through viable re-use and address a long time problematic building that, due to its dilapidated condition, detracts from its surroundings that is considered to be an important gateway to Anglesey and Wales from Ireland. The proposals would also result in the removal the building from CADW's Buildings at Risk Register.

The proposals would not adversely impact upon the special character and appearance of the listed building or the setting of the adjacent listed buildings.

ii. Impact on amenities of neighbouring properties - The immediate neighbouring properties lie to the east of the application site. The current proposal is to remove the previously approved two storey contemporary extension and amendments to the schemes design will not result in a detrimental impact on the amenities of the neighbouring properties. The re-use of the vacant building will improve the visual appearance of the building which will improve the outlook from the adjoining properties.

Conclusion

The principle of the change of use of the building into four affordable units has been established under planning application FPL/2021/1. The current proposal to amend the design of the previously approved scheme respects the character of the Listed Building and will not have a detrimental impact on the amenities of 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) No development shall commence until a drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

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

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

- (i) The routing to and from the site of construction vehicles, plant and deliveries, including any Temporary Traffic Management Measures and Traffic Regulation Orders necessary to facilitate safe construction of the scheme including any advance, preparatory and demolition works;**
- (ii) The type size and weight of construction and delivery vehicles to be used in connection with the construction of the development, having regard to the geometry, width, alignment and structural condition of the highway network along the access route to the site;**
- (iii) The timing and frequency of construction and delivery vehicles to be used in connection with the development, having regard to minimising the effect on sensitive parts of the highway network and construction routes to the site, including regard for sensitive receptors e.g. schools and network constraints;**
- (iv) Identification of the routing strategy and procedures for the notification and conveyance of indivisible “out of gauge” loads. This includes any necessary measures for the temporary protection of carriageway surfaces; for the protection of statutory undertakers’ plant and equipment; and for the temporary removal of street furniture;**
- (v) Measures to minimise and mitigate the risk to road users in particular non-motorised users;**
- (vi) The arrangements to be made for on-site parking for personnel working on the Site and for visitors;**
- (vii) The arrangements for storage of plant and materials and the loading and unloading of plant and materials**
- (viii) Details of measures to be implemented to prevent mud and debris from contaminating the adjacent highway network;**

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

(04) The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Technical Advice Note 2: Planning and Affordable Housing (June 2006) or any future guidance that replaces it. The scheme shall include:

- the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 10% of housing units/bed spaces;**
- the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;**
- the arrangements for the transfer of the affordable housing to an affordable housing provider[or the management of the affordable housing] (if no RSL involved);**
- the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and**
- the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.**

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

(05) The development shall take place in accordance with the Mitigation and Recommendations contained within the Preliminary Bat + Protected Species Survey by Cambrian Ecology Ltd dated 23rd May, 2023 submitted under application reference VAR/2023/8.

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

(06) No development shall commence until full details have been submitted to and approved in writing for the two sparrow terrace boxes and Three Swift Boxes to be installed on the proposed building which includes their location. Photographic evidence shall be provided of the sparrow and swift boxes after installation.

Reason: In the interest of ecology.

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

- Preliminary Ecological Assessment Update by Cambrian Ecology Ltd dated 23rd May, 2023
- Flood Consequence Assessment by Caulmert - submitted under planning application FPL/2021/1
- Flood Consequence Assessment Addendum No 2 May 2021 - submitted under planning application FPL/2021/1
- Flood Evacuation Plan for Residents Version 0.2 dated 25/5/21 - submitted under planning application FPL/2021/1
- Results of Archaeological Building Record and Archival Research by C.R Archaeology - submitted under planning application FPL/2021/1
- Heritage Impact Assessment submitted under planning application FPL/2021/1
- Noise Assessment by Environoise submitted under planning application FPL/2021/1
- Drawing number PA-BTP-00-LP-DR-A-4013_100 -Location Plan
- Drawing number PA-BTP-00-SP-DR-A-4013_103.1 - Bird boxes location
- Drawing number PA-BTP-00-SP-DR-A-4013_102.1 - Proposed Site Plan
- Drawing number PA-BTP-00-ZZ-DR-A-4013_120.1 - Proposed Floor Plans
- Drawing number PA-BTP-00-RF-DR-A-4013_121.1 - Proposed Roof Plan
- Drawing number PA-BTP-00-E-DR-A-4013_122.1 - Proposed Elevations
- Drawing number PA-BTP-00-E-DR-A-4013_123.1 - Proposed Elevations

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

(08) The restoration of the building must be completed in accordance with the approved plans prior to any occupation of the building.

Reason: To ensure that the proposal is in accordance with Policy AT2 of the Joint Local Development Plan

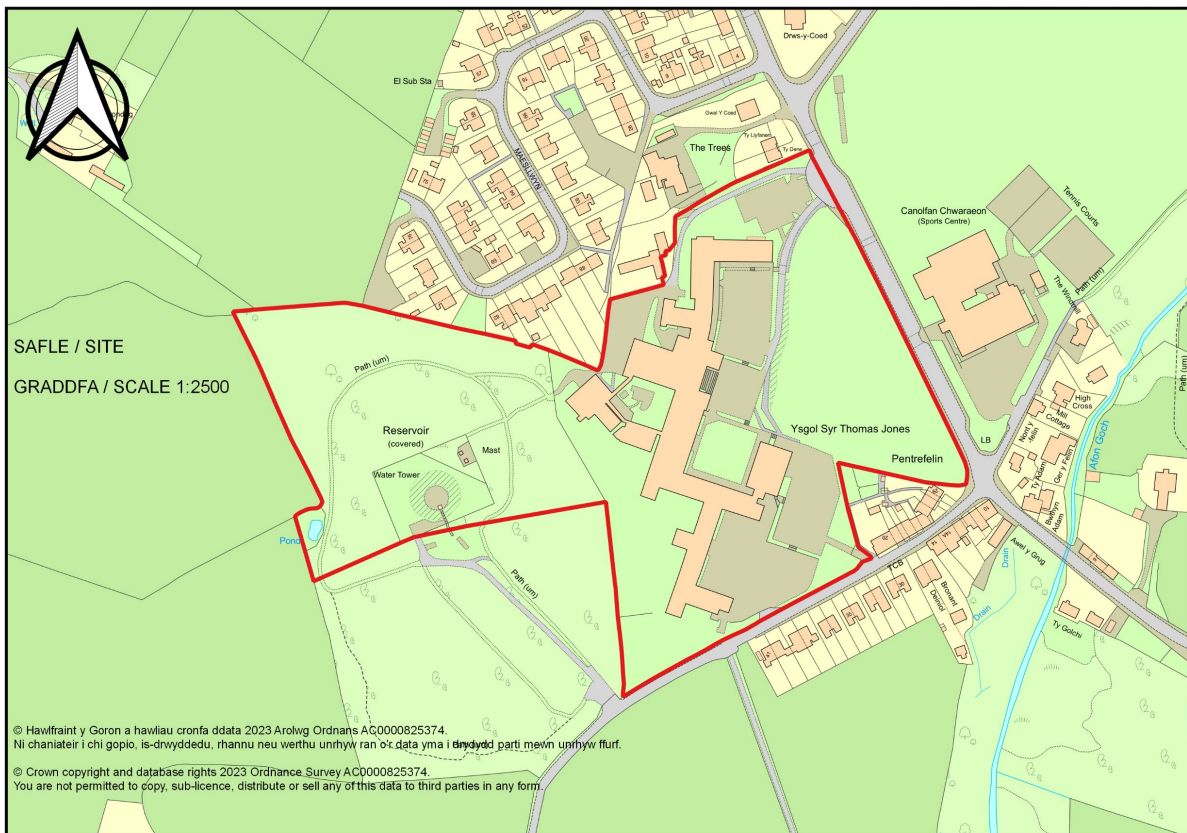
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: LBC/2023/9

Applicant: Highways, Waste and Property Pennaeth Gwasanaeth/Head of Service (Highways, Waste & Property)

Description: Caniatâd Adeilad Rhestredig ar gyfer ailosod ffenestri a drysau pren gyda ffenestri a drysau alwminiwm newydd, ynghyd â sgrin newydd sy'n gwrthsefyll tân yn/ Listed Building Consent for the replacement of timber windows and doors with new aluminium windows and doors, together with a new fire resistant screen at

Site Address: Ysgol Syr Thomas Jones, Pentrefelin, Amlwch.



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

Recommendation: Permit

Reason for Reporting to Committee

The application is submitted by the Council on land in its ownership.

Proposal and Site

Ysgol Syr Thomas Jones is Grade II* listed (Cadw Record No 25852) and is set back, within private grounds, from the SW side of Ffordd Tanybryn in Pentrefelin.

Large-scale purpose-built comprehensive school opened in 1950 and has staggered, long 3-storey, classroom blocks to the left of the entrance block, (with modern theatre block branching from the NE corner), and a 2-storey curving wing to R (housing dining hall and gymnasium etc), from which the boys gym is advanced at a lower level to the far right. The music rooms form a rear range at the back of the hall, linked to the main classroom blocks by a modern single storey curving range built into the slope to the rear of the school. The modern added classrooms and theatre blocks also have rendered elevations with regularly spaced casement windows; theatre block with flat roof and added classrooms to rear with mix of flat and gable roofs.

The school is the first purpose-designed comprehensive school in Wales and one of the earliest (probably even the first) in Britain.

The application is for listed building consent for the replacement of timber windows and doors with new aluminium windows and doors, together with a new fire resistant screen.

Key Issues

The application's key issues are:

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

Policies

Joint Local Development Plan

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

TAN 12: Design and TAN 24: The Historic Environment.

Anglesey and Gwynedd Joint Local Development Plan (2017) Policy PS 20.

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

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

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

Planning Policy Wales (Edition 11) February 2021

Policy PCYFF 3: Design and Place Shaping.

Policy PCYFF 4: Design and Landscaping.

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

Response to Consultation and Publicity

Consultee	Response
Joint Committee of The National Amenity Societies	No Response
Ymgynghorydd Treftadaeth / Heritage Advisor	No response
The Royal Commission on the Ancient and Historical Monuments of Wales	No Response
Cadw Listed Building Consent Notificatio CADW	no Response

Cynghorydd Derek Owen	No Response
Cynghorydd Aled Morris Jones	No Response
Cynghorydd Liz Wood	No Response
Cyngor Tref Amlwch Town Council	No Objection
GCAG / GAPS	No Response

The proposal has been advertised through the posting of a notice on site together with the distribution of personal letters of notification to the occupiers of neighbouring properties. A notice was also placed within the local newspaper.

Expiry Date: 08 06 23

Representations: Amlwch Town Council had no objections.

Relevant Planning History

11LPA101J/1/LB/CC - Caniatâd Adeilad Rhestredig/ Listed Building Consent - Caniatâd Adeilad Rhestredig ar gyfer ailwampio mewnol prif doiled bechgyn, i gynnwys ciwbiclau newydd, troethfeydd, system IPS ac uned wagedd ynghyd â louvers allanol newydd a griliau awyru mewnol i fyny standiau ffenestr to pot gwydr yn/ Building Consent for internal refurbishment of main boys toilet, to include new cubicles, urinals, IPS system and vanity unit together with new external louvers and internal ventilation grills to upstands of glass pot rooflight at - Ysgol Syr Thomas Jones, Amlwch

11LPA101K/1/LB - Datblygiad gan y Cyngor Sir/ Development By County Council - Caniatâd Adeilad Rhestredig ar gyfer ffurfio 4 mynediad â chroes ar y llawr gwaelod crog yn/ Listed Building Consent for the formation of 4 access hatched in the suspended ground floor at - Ysgol Syr Thomas Jones, Amlwch

11LPA101Z/LB/CC - Caniatâd Adeilad Rhestredig/ Listed Building Consent - Caniatâd Adeilad Rhestredig ar gyfer gwaith mewnol (peintio) yn/ Listed Building Consent for internal works (painting) at - Ysgol Syr Thomas Jones Amlwch

11LPA101N/1/LB/CC - Caniatâd Adeilad Rhestredig/ Listed Building Consent - Caniatâd Adeilad Rhestredig ar gyfer ail osod drysau a drysau tan newydd yn/ Listed Building Consent for door replacement and fire door installation at - Ysgol Syr Thomas Jones, Amlwch.

11LPA101M/1/LB/CC - Caniatâd Adeilad Rhestredig/ Listed Building Consent - Caniatâd Adeilad Rhestredig ar gyfer gwaith yn/ Listed Building Consent for works at - Ysgol Syr Thomas Jones, Amlwch

11C571 - Codi ystafell wydr o flaen yr eiddo/ Erection of a conservatory to the front of the property

11C598 - Cais llawn i godi tri thŷ/ Full application for the erection of three dwellings

11LPA101F/1/LB/CC - Caniatâd Adeilad Rhestredig ar gyfer gwaith mewnol/ Listed Building Consent for internal works

11LPA101G/1/LB/CC - Caniatâd Adeilad Rhestredig ar gyfer newidiadau mewnol/ Listed Building Consent for internal alterations

11LPA101H/1/LB/CC - Caniatâd Adeilad Rhestredig ar gyfer gwaith i uwchraddio system gwres canolog/ LBC for works to upgrade central heating system

11LPA101X/LB/CC - Caniatâd Adeilad Rhestredig ar gyfer nenfwd crog/ LBC for suspended ceiling

11LPA101B/1/LB/CC - Caniatâd Adeilad Rhestredig ar gyfer gosod camera teledu cylch cyfyng ar y bloc derbynfa/ LBC for installation of CCTV camera on reception block

11LPA101C/1/LB/CC - Caniatâd Adeilad Rhestredig ar gyfer gwaith mewnol/ LBC internal works

11LPA101R/LB/CC - Caniatâd Adeilad Rhestredig ar gyfer gosod uned sugno allanol/ LBC for the installation of an external suction unit

11LPA101T/CC - Ffurfio maes parcio newydd, mynedfa Newydd/ Formation of a new parking area, new access

11LPA101W/LB/CC - Cais Adeilad Rhestredig i adnewyddu campfa/ Listed Building application for the refurbishment of gym

11LPA101D/1/CC - Gwaith allanol a mewnol/ External and internal works

11LPA101E/1/LB/CC - Caniatâd Adeilad Rhestredig ar gyfer gwaith mewnol ac allanol/ LBC for external and internal works

11LPA101Y/LB/CC - Caniatâd Adeilad Rhestredig ar gyfer gwaith mewnol ac allanol/ Listed Building Consent for internal and external works

11LPA101A/1/LB/CC - Caniatâd Adeilad Rhestredig ar gyfer adnewyddu'r Ystafell Economeg y Cartref/ LBC for refurbishment of Home Economics Room

Main Planning Considerations

Ysgol Syr Thomas Jones is Grade II* listed (Cadw Record No 25852) and is set back, within private grounds, from the SW side of Ffordd Tanybryn in Pentrefelin.

The large-scale purpose-built comprehensive school opened in 1950 and has staggered, long 3-storey, classroom blocks to the left of the entrance block, (with modern theatre block branching from the NE corner), and a 2-storey curving wing to R (housing dining hall and gymansia etc), from which the boys gym is advanced at a lower level to the far right. The music rooms form a rear range at the back of the hall, linked to the main classroom blocks by a modern single storey curving range built into the slope to the rear of the school. The modern added classrooms and theatre blocks also have rendered elevations with regularly spaced casement windows; theatre block with flat roof and added classrooms to rear with mix of flat and gable roofs.

The school is the first purpose-designed comprehensive school in Wales and one of the earliest (probably even the first) in Britain.

The application is for listed building consent for the replacement of timber windows and doors with new aluminium windows and doors, together with a new fire resistant screen.

The proposed replacement windows and doors are to the later 1960s Technology Block extension. The existing windows and doors are of stained timber that do not complement the metal-framed windows that are to be found throughout the original parts of the school. The existing single glazed timber windows are in poor condition with the proposal being to replace with double glazed aluminium powder coated windows of a design that better reflect the original windows and the listed building's character.

The proposed internal alterations are for the installation of a fire resistant screen and double doors to corridor.

It is considered that the proposed replacement windows will greatly assist in integrating the later extension with the original building whilst providing an aesthetic and thermal improvement. The installation of the proposed internal fire resistant screen and door will have a minimal impact upon the character of the listed building.

Consequently, the Local Planning Authority considers that the proposals have been carefully considered and would not harm the character of the listed building. Consequently, the proposals are supported, as they have considered the character and significance of the heritage asset and its setting, subject to specific listed building consent conditions. At the time of writing this report the Local Planning Authority have not received any letters of objection.

Conclusion

Consequently, the Local Planning Authority considers that the proposals have been carefully considered and would not harm the character of the listed building. Consequently, the proposals are supported, as they have considered the character and significance of the heritage asset and its setting, subject to specific listed building consent conditions. At the time of writing this report the Local Planning Authority have not received any letters of objection.

Recommendation

That the application is permitted subject to the following conditions:

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

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

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

Location Plan / AL/15081/01

Site Plan / AL/15081/02

Ground Floor Plan / AL/15081/03

Part Ground Floor Plan Identifying Location of Windows / AL/15081/04

Part First Floor Plan Identifying Location of Windows / AL/15081/05

Existing Elevations / AL/15081/06

Proposed Elevations / AL/15081/07

Part Ground Floor Plan Identifying Location of New Fire Resistant Door to Corridor / AL/15081/08

Elevation of Existing and New Fire Resistant Screen to Ground Floor Corridor / AL/15081/09

Heritage Impact Statement / IOACC 4th May 2023

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 Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF 3, PCYFF 4, and PS 20.

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

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/2022/264

Applicant: Ms Linda Owen

Description: Full application for the change of use of agricultural land into touring caravan park at

Site Address: Ty'n Cae, Rhostrehwfa, Llangeferni.



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

Recommendation: Permit

Reason for Reporting to Committee

At the request of the Local Member

Proposal and Site

The application site lies fronting the B4422. The land lies to the north and south of the residential properties known as Tyn Cae and Tyn Cae Cottage which is owned by the applicant. Part of the land is currently used as agricultural land and as a caravan park (certificate site).

The original application was for the change of use of land to create a touring caravan site and the siting of 3 glamping pods. However the scheme has been amended and now involves the change of use of the land to create a touring caravan site only.

Key Issues

The applications main issues are;

- i. Compliance with policy
- ii. Highway Safety
- iii. Impact on neighbouring properties / locality

Policies

Joint Local Development Plan

PCYFF1: Development Boundaries

PCYFF2: Development Criteria

PCYFF3: Design and Place Shaping

PCYFF4: Design and Landscaping

PS1: Welsh Language and Culture

TWR5: Touring Caravan, Camping and Temporary Alternative Camping Accommodation

Strategic Policy PS5: Sustainable Development

Strategic Policy PS4: Sustainable Transport, Development and Accessibility

Strategic Policy PS6: Alleviating and Adapting to the Effects of Climate Change

TRA2: Parking Standards

TRA4: Managing Transport Impacts

Strategic Policy PS19: Conserving and Where Appropriate Enhancing the Natural Environment

AMG5: Local Biodiversity Conservation

PS14: The Visitor Economy

Planning Policy Wales (11th Edition)

Supplementary Planning Guidance - Tourism Facilities and Accommodation - March 2021

Technical Advice Note 18: Transport (2007)

Technical Advice Note 24: The Historic Environment (2017)

Technical Advice Note 20: Planning and the Welsh Language (2017)

Response to Consultation and Publicity

Consultee	Response
Tourism Partnership North Wales	No response
Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service	No comments
Dwr Cymru Welsh Water	Holding objection as the site is crossed by a combined sewer. The concerns were forwarded to the agent and an amended scheme was submitted. At the time of writing this report no response has been received to the amended scheme
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objection
Draenio Gwynedd / Gwynedd Drainage	No comments

Prifffyrdd a Trafnidiaeth / Highways and Transportation	Originally raised concerns with the means of access to the site. Following receipt of amended plans confirmed that the amended scheme is acceptable subject to a conditional approval.
Polisi Cynllunio / Planning Policy	Comments
Iechyd yr Amgylchedd / Environmental Health	Standard comments
Cyngor Cymuned Llangristiolus Community Council	Concerns regarding access and the the road is not suitable for additional traffic
Ymgynghorydd Tirwedd / Landscape Advisor	No response
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Comments
Cynhorydd Geraint Ap Ifan Bebb	Call-in - overdevelopment of the site and increase in traffic
Cynghorydd Nicola 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 09/11/2022. No representations were received. However, following discussions with the applicant and the subsequent amendments to the proposed scheme, there is a duty to re-notify neighbours and the latest date for the receipt of any representation is 06/07/2023. At the time of writing this report one letter of representation had been received. The main issues raised can be summarised as follows;

- i. Concerns were raised that the site has been used by caravan and tents. Also bell tents and pods are located on site / advertised on social media.
- ii. Claims that a person has been allowed to live in a caravan for 12+ months.
- iii. Access to the site is unsuitable for commercial use.
- iv. Poor track record of landscaping.
- v. Marketing material on social media and internet lack any reference to the Welsh language how will the applicant address this in the planning application.
- vi. The noise levels and increased litter on the B4422 do not suggest good quality of clients.

Other matters have been raised regarding the maintenance/landscaping of the site to ensure good quality campers and of reviews made by past customers however these matters are not material planning considerations however the proposal includes a landscaping scheme.

In response to these comments I would state;

- i. As stated above the site has an Exemption Certificate and can be used as a touring caravan and tent site. If any breaches of planning occurs on site these matters will be investigated by the Enforcement Section.
- ii. The application currently under consideration is for a seasonal caravan site – any breaches of planning permission can be investigated by the Enforcement Section.
- iii. Highway Safety issues are discussed in the main body of the report below.
- iv. Landscaping works are proposed as part of the scheme. Part of the site is screened by hedge.
- v. What is published on social media is outside of the local planning authority control. The applicant has confirmed that the marketing and visitor information will highlight the history and heritage of the area.
- vi. If the development results noise nuisance these are matters that can be regulated by the Environmental Health Section. Can it be confirmed that litter on the B4422 is as a result of the use of the site?

Relevant Planning History

36C235 - Newid defnydd yr adeiladau allanol i fod yn uned gwyliau ynghyd a chreu mynedfa newydd yn / Change of use of outbuildings into a holiday flat together with the formation of a new access at Tyn Cae, Rhostrehwfa - Caniatau / Approved 24/06/04

36C235A - Codi sied ar dir ger / Erection of a shed on land at Tyn Cae, Rhostrehwfa - Caniatau / Approved 03/04/06

36C235B - Newid defnydd tir er mwyn creu man parcio cerbydau nwyddau trwm yn / Change of use of land for the parking of heavy goods vehicles at Tyn Cae, Rhostrehwfa - Gwrthod / Refused 12/01/07

36C235C - Newid defnydd yr uned gwyliau i annedd preswyl ynghyd ag estyniad i'r cwrtil yn / Change of use of holiday let into a residential dwelling together with an extension to curtilage at Tyn Ce, Rhostrehwfa - Caniaatau / Approved 17/07/09

Main Planning Considerations

The land is currently used as agricultural land and as a touring caravan site (certificate site which is exempt from planning). The proposal is to provide 18 touring caravan pitches (10 pitches to the north of the dwelling known as Tyn Cae and 8 pitches on land to the south) together with landscaping works. Following consultation with the Highway Authority improvements will be made to the existing vehicular access.

The applications main issues are;

- i. Compliance with policy
- ii. Highway Safety
- iii. Impact on neighbouring properties / locality

i. Policy Context - Policy PCYFF1: Development Boundaries states that outside the development boundaries development will be resisted unless it is in accordance with specific policies in this plan or national planning policies or that the proposal demonstrates that its location in the countryside is essential.

The application site is located in an open countryside location.

Policy TWR 5 of the Joint Local Development Plan is relevant to the touring caravan site and the policy states that:-

Proposals for new touring caravan, camping and temporary alternative camping sites, extensions to existing sites or additional pitches will be granted provided they conform to the following criteria:

- 1. That the proposed development is of a high quality in terms of design, layout and appearance, and is sited in an unobtrusive location which is well screened by existing landscape features and/or where the units can be readily assimilated into the landscape in a way which does not significantly harm the visual quality of the landscape; - the majority of the site is screened from the public vista and further landscaping are proposed to improve the visual appearance of the site and will enhance biodiversity*
- 2. Avoids excessive areas of hard standing - no hardstanding are proposed as part of the scheme.*
- 3. Have limited physical connection to the ground and is capable of being removed off the site out of season - a condition will be imposed on the decision stating that the units are removed from site when not in use and out of season.*
- 4. Any ancillary facilities should, if possible, be located within an existing building or as an extension to existing facilities. If no suitable buildings are available, the need for additional facilities needs to be clearly demonstrated and commensurate with the scale of the development - there is an existing amenity building on the site.*

5. That the site is close to the main highway network and that adequate access can be provided without significantly harming landscape characteristics and feature - the site fronts the B4422 and is located on the public transport network.

6. Occupation is limited to holiday use - a condition will ensure that the units are used for holiday purposes only.

7. That the site is used for touring purposes only and any units are removed from the site during periods not in use - as stated previously a condition will be included to ensure that the units are removed from the site.

Policy PCYFF 4 of the JLDP requires that all new developments integrate into their surroundings and should consider landscaping in a manner that is appropriate to nature, scale and location of the dwelling. The area is semi-rural in nature due to its position between the settlements of Rhostrehwfa and Llangefni and due to the fact that the site is currently used as a Certificated site. Part of the frontage of the site is screened with existing hedges and the proposal includes further landscaping measures. No trees or hedges will be lost as part of the proposal and the landscaping scheme will provide a net gain in biodiversity, which meets the requirements set out by policy AMG 5 and also the councils duty under the Environment (Wales) Act.

It is noted that there are certain types of developments where a proposal will require a Welsh Language Statement or a Welsh Language Impact Assessment Report. Thresholds for when a Statement / Report is expected to be submitted are highlighted in Policy PS1 of the JLDP together with Diagram 5 of the 'Maintaining Distinctive and Sustainable Communities' Supplementary Planning Guidance. This proposal does not meet these thresholds, however it is expected that it be demonstrated how the Welsh Language has been considered as a part of designed the proposal. Such a statement was submitted as part of the application and is considered acceptable.

Policies PS 4 and PS 5 of the JLDP deliver the requirement for development to be sustainable at a local plan level and are consistent with national policy guidance with paragraph 3.39 of PPW (edition 11, February 2021). The main thrust of these policies are to reduce reliance on private transport through ensuring new development is located in areas which are accessible by a range of modes of transport. The proposed site is located approximately 0.6 miles away from the centre of the settlement of Rhostrehwfa and 1.1 miles away from the centre of Llangefni. The site is located on the public transport network and a pavement links the application site to both nearby settlements.

The land in question is Grade 2 'Good quality' land. Planning Policy Wales states that weight should be given to protecting such land from development unless there is an overriding need for the development.

Policies PS 4 and PS 5 of the JLDP deliver the requirement for development to be sustainable at a local plan level and are consistent with national policy guidance with paragraph 3.39 of PPW (edition 11, February 2021). The main thrust of these policies are to reduce reliance on private transport through ensuring new development is located in areas which are accessible by a range of modes of transport. The proposed site is located approximately 0.6 miles away from the centre of the settlement of Rhostrehwfa and 1.1 miles away from the centre of Llangefni. The site is located on the public transport network and a pavement links the application site to both nearby settlements.

The land in question is Grade 2 'Good quality' land. Planning Policy Wales states that weight should be given to protecting such land from development unless there is an overriding need for the development.

As stated above part of the site is currently used as a Certificate site and up to 5 touring caravans and 10 tents are allowed on the land. During the course of determining the current application the agent has confirmed that the applicant has been granted a Certificate by the organisation known as Freedom Camping Club and are allowed 5 touring caravans and up to 13 tents. No hardstanding or permanent features are proposed as part of the application and therefore the land can be easily grazed out of season.

ii. Highway Safety – Concerns have been raised by the Local Member and Community Council regarding the means of access to the site and that the road is unsuitable for the additional traffic. During the course of determining the application discussions took place between the agent and colleagues in the Highway Department and the scheme has been amended to provide adequate space for vehicles with touring caravans are able to drive onto the land and not block the highway. The applicant has also confirmed that visitors leaving the site will need to vacate prior to 11am and new arrivals will not be allowed until after 1pm. Whilst it is acknowledged that the B4422 is a busy highway it is not considered that the highway cannot cope with the additional traffic generated by the development.

iii. Impact on amenities of neighbouring properties and locality - The site lies next to the side garden area of the property known as Tyn Rhos. Due to the existing screening along the boundary separating the site and the neighbouring garden and due to the fact that the neighbouring garden lies along the frontage of the property with the busy highway it is not considered that the use of the site by 5 additional touring caravans will have an adverse impact on the amenities currently enjoyed by the occupants of the neighbouring land.

Maenllwyd and Llain Garreg are located to the south of the application site and on the opposite side of the Highway. The properties are not located directly opposite the front of the application site and due to the proposed landscaping and the fact that the busy highway separates the application site and properties it is not considered that the use of the site for the siting of 8 seasonal pitches will have an adverse impact on the properties.

Conclusion

The change of use of the land to create an 18 pitch touring caravan site and associated works will not have a detrimental visual impact on the surrounding area, amenities of the surrounding properties or on highway safety. The proposal complies with current policies and my recommendation is one of approval.

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) 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.

Drawing number TCR/23/01 - Existing access

Drawing number 2963:21:2 - Existing site plan

Drawing number TCR/23/02 Rev B - Proposed access

Planning Support Statement - Berllan Properties Ltd, October 2022

Visual Appraisal and Landscape Strategy - Land Studio, May 2022

Drawing number 265_TNC_0200_A - Proposed site plan and landscaping scheme

Preliminary Ecological Assessment - Cambrian Ecology 16 August 2022

Drawing number SCP/220782/ATR01- Swept path analysis

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

(03) No more than 18 touring caravans shall be placed on the parcel of land outlined in red on the attached plan (drawing number 265_TNC_0200 A) between 1st March and 31st October in any year and shall only be occupied for holiday purposes. A register identifying those occupying the seasonal touring caravans shall be maintained and shall be made available for inspection by the local planning authority at all times.

Reason: The permission is granted on the basis that the units will be used for holiday purposes only.

(04) The landscaping scheme as shown on the attached plan (drawing number 265_TNC_0200 A) shall be implemented not later than the first planting season following the use hereby approved. Any trees or shrub which forms part of the approved landscaping scheme within a period of five years from planting falls to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved in writing by the local planning authority.

Reason: In the interest of visual and residential amenity

(05) Any touring caravan which is not occupied shall be removed from the site.

Reason: In the interest of visual amenity

(06) The access shall be laid out and constructed strictly in accordance with the submitted plan (drawing reference TCR/23/02 Rev B) with the gates opening inwards before the use hereby permitted is commenced and thereafter shall be retained and kept free from permanent obstruction and used only for access purposes.

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

(07) 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.

(08) 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 (1) before the use hereby permitted is commenced (2) before the dwelling is occupied.

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

(09) The development hereby approved shall be operated in accordance with Paragraph 3.10 of the Planning Support Statement by Berllan Properties.

Reason: To comply with the requirements of the Highway Authority

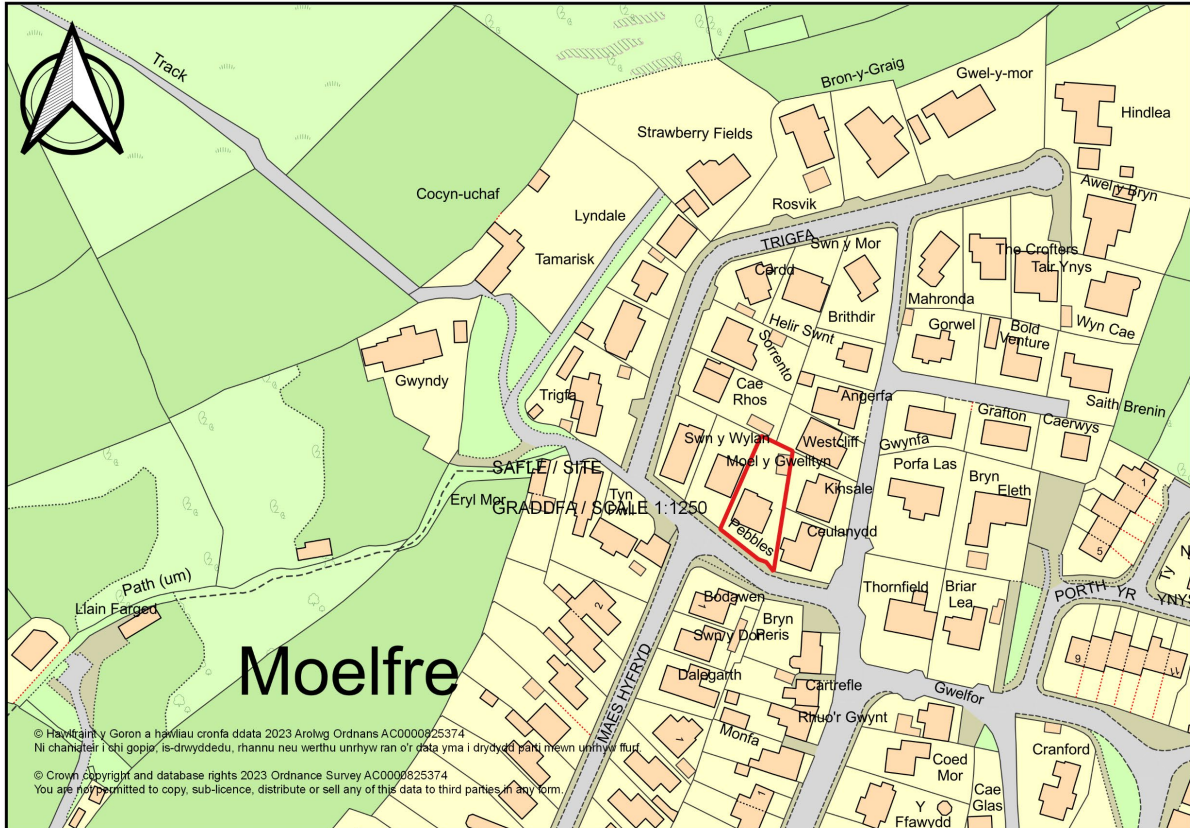
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: HHP/2023/59

Applicant: Mr. & Mrs. Ian Brierley

Description: Full application for alterations and extensions to the main dwelling and garage at

Site Address: Pebbles, Trigfa, Moelfre



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

Recommendation: Permit

Reason for Reporting to Committee

At the request of the Local Member – Councillor Margret Murley Roberts on the grounds of over-development of the site and traffic issues.

Proposal and Site

The application is for the erection of a flat roof extension at ground floor level, dormer extension at first floor level and alterations made to the detached garage to the rear of the property of Pebbles, Trigfa, Moelfre. This proposal looks to create additional living area at ground floor level and larger bedroom and amenities within the roof space.

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
Policy AMG5: Local Biodiversity Conservation

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
Cynghorydd Euryn Morris	No response at the time of writing report
Priffyrdd a Trafnidiaeth / Highways and Transportation	Highways Officer expressed concerns in regards to visibility. Amended plans were received by the agent to eliminate the concerns, as well as to omit the proposed changes to the access. Highways department was re-consulted and was satisfied with the amended plans provided by the agent.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Ecological and Environmental Officer requested biodiversity enhancements to be shown on the plan. The agent prepared amended plans showing the requested biodiversity enhancements. The Ecological and Environmental Officer was re-consulted and was satisfied with the amended plans provided by the agent.
Cynghorydd Ieuan Williams	No response at the time of writing report
Cynghorydd Margaret Murley Roberts	Requested that application be called in to the Planning Committee on the grounds of over development and traffic problems.
Cyngor Cymuned Moelfre Community Council	Services not sufficient for a building of this size. Roof height disrupts daylight on house next door.

Publicity:

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

14/06/2023. At the time of writing this report 2 web comments of objection have been received together with approx 13 Letters of Objection. The main comments summarized were as follows:

- Access and Parking/Vehicle Concerns – increased traffic, dangerous parking.
- Noise pollution/concerns, loss of Peace and Quiet of immediate residential area with the additional occupants
- Use of amended property
- Overdevelopment
- Overlooking
- Biodiversity - loss of hedgerow and monkey tree
- Loss of light / Overshadowing created by the placement of the new dormer windows.
- Effect on AONB
- Noise and nuisance caused by existing ongoing building works at the site and safety concerns.
- Concerns regarding the two extremely dangerous bends being in proximity to the property.
- Ecological impact
- Change of use of garage into games room

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. There is no increase in the number of bedrooms with this application and sufficient parking already exists on site.
- It is considered the parking will be off road for the owners of this property, not affecting the adjacent highway.
- 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. It is therefore considered as there is no change of use of the property that the noise levels will remain the same as existing.
- The planning Department cannot speculate on any future use of a property and must determine the application on its own merits and on the information provided.
- It is considered the development of a dormer extension and flat roof extension is not an overdevelopment of the existing, the number of bedrooms is not increasing, the dormer extension is subservient towards the existing main dwelling.
- It is considered any overlooking issues are to be kept to a minimal as the new dormers at the rear of the property are facing the property's rear garden. A degree of overlooking already exists on site due to the siting of the neighbouring properties.
- Biodiversity enhancements have been shown on the proposed plans, works to the access is no longer within the proposal, the applicant has shown on plans the recommended biodiversity enhancements and re-planting.
- The dormer extension is within the existing roof of the detached property, there is no increase in ridge height proposed and therefore there will be no additional overshadowing created at the site.
- As the application is a small-scale householder application, it is considered the impact on AONB is to remain the same impact as the existing property.
- Safety concerns – The property will need to comply with Building Regulations department if Planning permission is granted.
- No objection is noted by the Highways department for this application.** Additional Plans have been submitted to address the highway officer's concerns; the highways department is satisfied with what has been provided and have no objection.
- Amended plans have been provided to retain the existing hedgerow, replanting is also proposed on site. The ecologist has confirmed that the biodiversity enhancements shown on the plan meet the requirement of Policy AMG5.
- Change of use of garage into games room is considered permitted development, planning permission is not required.

Relevant Planning History

40C259 - Dymchwel yr annedd presennol ynghyd a codi annedd newydd yn / Demolition of existing dwelling together with the erection of a new dwelling at - Caniatáu / Permitted 07/07/2005.

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 a flat roof extension at ground floor level, dormer extension at first floor level and alterations made to the detached garage at rear of the property of Pebbles, Trigfa, Moelfre. This proposal looks to create additional living area at ground floor level and larger bedroom and bathroom within the roof space.

The proposed dormer extension at the rear elevation allows the existing roof space to be utilised and extended to provide larger bedrooms and utilities for the applicants, without overly increasing the footprint of the property. The proposed new dormer windows look to protrude 1.7 from the existing external walls.

The proposed dormer roof will have a standing seam metal roof finish and the external walls is shown in white render to match the existing dwelling. The overall roof height will not be increased or extend beyond the main external walls of the property. The extension at ground floor level is measured at approximately 9.6m x 4m, therefore it will only extend 1.6m further than the existing rear wall and will also be flush to the east facing side elevation. There will be 2 new roof lights on the flat roof of the extension, providing natural lighting into the kitchen/dining area. The fascia, soffits and pillar walls are to be cladded in cedar wood and the external walls is to be cladded in tier stone, this will modernise the existing dwelling as well as complement the surrounding environment and existing dwelling. Minor alterations are proposed to the front elevation of the dwelling, the low pitch section of the roof over the front door is to be replaced with a proposal similar to the existing, and a new pitched roof is to be placed over the existing bay window.

The existing detached garage is also proposed to undergo minor alterations, the footprint of the garage is to remain the same, however - the existing flat roof is to be replaced with a pitched roof which will have roof tiles that match the existing roof of the dwelling, three new roof lights are also proposed, and the materials are to match the existing dwelling and the newly proposed extension. The existing garage is to be used as a games room incidental to the dwellinghouse. The height of the proposed pitched roof measures approximately 3.3m in which is only 0.9m greater than the exiting flat roof. The change of use of the garage is considered a permitted development, planning permission is not required for this proposal, it is also noted that the height of the proposed garage is only 0.8m greater than what would be permitted development as set out in General Permitted Development Order.

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.

The proposed design and appearance are considered acceptable with the design being high quality. The existing dwelling is considered small in scale and quite limited in its use. The proposed scale of the development is considered fair in scale, the proposal looks to create larger habitable areas within the dwelling as well as modernising the existing dwelling. There is also sufficient space within the plot to accommodate the proposal. Surrounding properties are similar in scale and therefore the proposal wouldn't have a visual impact on the existing dwelling or neighbouring properties.

The material choices are considered high quality, they would modernise the appearance of the existing dwelling whilst also being in-keeping with the character of the surrounding area/properties. It is not

considered that the proposal would harm the special qualities of adjacent residential properties as well as the surrounding AONB given its scale and high quality design.

The form and proportion of the development 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:

Pebbles is a detached residential property located within the residential estate of Trigfa at the coastal town of Moelfre. There is a degree of overlooking already on the site, the boundary is currently surrounded by low walls, sufficient boundary treatments have been submitted as part of this proposal, a new 1.8m high fence is to be erected along the entire boundary of Pebbles, in which looks to improve the existing overlooking issue that is on site.

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 rear of the property are facing the rear garden of the property. It is not considered that the proposal will impact adjacent residential properties, there is sufficient distances from the proposed development to the nearest neighbouring properties as well as sufficient screening surrounding the curtilage of the dwelling. The distance from the proposed dormers to the rear boundary is 18.7m, which is 11.2m greater than the indicative distances as outlined in the SPG. Consideration has been given to the neighbouring properties to the east and west of the proposed development, the neighbouring property to the west is sited slightly forwards on the site, due to the dormer windows facing directly to the north of the site, the overlooking to the east and west of the site will be minimal due to its angle, the dormer extensions is considered to be small in scale, and taking into consideration the existing dormer window, the proposal does not look to worsen the current overlooking on site. The windows on the west facing elevation are to remain the same, other proposed windows of the scheme are not considered to be excessively overlooking in nature and would not exacerbate any existing overlooking to what is already on site, the boundary is to be surrounded by a 1.8m high fence in which will eliminate overlooking from ground floor level.

Consideration has also been given towards loss of lighting for the neighbouring properties. Due to the small scale of the dormer, also noting that the dormer extension does not extend higher than the original roof ridge and only extends 1.7m from the existing external walls, loss of natural day lighting is not likely.

It is not considered that the proposal will impact adjacent residential properties, there is sufficient distances from the proposed development to the nearest neighbouring properties as well as sufficient screening surrounding the curtilage of the dwelling. It is considered the proposal complies with Policy PCYFF 2.

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 WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG 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 WBFG Act.

Conclusion

It is not considered that the proposed development will impact the character of the dwelling, or the surrounding area. The proposal is considered to have a positive impact upon the existing dwelling. It is considered that the overall design for the proposed scheme and the use of high-quality materials with the biodiversity enhancements complies with the relevant planning policies and the recommendation is one of approval.

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 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 the 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.

(03) The site shall be landscaped strictly in accordance with A.00.2 in the first planting season after completion or first use of the development, whichever is the sooner. The landscaping scheme shall be retained for the lifetime of the development hereby approved. Any trees or shrubs that are found to be dead, dying, severely damaged or diseased within five years of the carrying out of the landscaping scheme, shall be replaced in the subsequent planting season by trees and shrubs of the same species and size as those originally required to be planted.

Reason: In the interest of the visual amenity of the locality.

(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.

- A.00.1 – Site Location Plan**
- A.00.2 – Proposed Site Layout**
- A.02.1- Proposed Plans and Elevations**
- A.02.2 – Proposed Garage Plans and 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: PCYFF2, PCYFF 3, Policy TRA 2, Policy 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.