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CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL

Mr Dylan J. Williams
Prif Weithredwr – Chief Executive
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RHYBUDD O GYFARFOD	NOTICE OF MEETING
PWYLLGOR CYNLLUNIO A GORCHMYNION	PLANNING AND ORDERS COMMITTEE
DYDD MERCHER, 7 CHWEFROR, 2024 am 1.00 o'r gloch yp	WEDNESDAY, 7 FEBRUARY 2024 at 1.00 pm
CYFARFOD RHITHIOL – YN SIAMBR Y CYNGOR, SWYDDFEYDD Y CYNGOR, LLANGFNI AC YN RHITHIOL DRWY ZOOM	HYBRID MEETING – IN THE COUNCIL CHAMBER, COUNCIL OFFICES, LLANGFNI AND VIRTUALLY THROUGH 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 - 8)

To submit, for confirmation, the minutes of the previous meeting of the Planning and Orders Committee held on 10 January, 2024.

4 SITE VISITS_(Pages 9 - 10)

To present the minutes of the Site Visits held on 24 January, 2024.

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

5 PUBLIC SPEAKING

6 APPLICATIONS THAT WILL BE DEFERRED_(Pages 11 - 12)

6.1 – FPL/2023/61 – Taldrwst, Lon Fain, Dwyran
[FPL/2023/61](#)

7 APPLICATIONS ARISING_(Pages 13 - 30)

7.1 – FPL/2023/146 – Cae Graham, Pentraeth
[FPL/2023/146](#)

7.2 - FPL/2023/227 – Ty Coch Farm, Rhostrehwfa
[FPL/2023/227](#)

8 ECONOMIC APPLICATIONS

None to be considered by this meeting.

9 AFFORDABLE HOUSING APPLICATIONS

None to be considered by this meeting.

10 DEPARTURE APPLICATIONS

None to be considered by this meeting.

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

None to be considered by this meeting.

12 REMAINDER OF APPLICATIONS_(Pages 31 - 56)

12.1 – FPL/2023/349 - Ysgol Syr Thomas Jones, Tanybryn Road, Amlwch
[FPL/2023/349](#)

12.2 – FPL/2023/343 - Golden Sunset Caravan Park, Benllech
[FPL/2023/343](#)

12.3 – FPL/2023/176 – Post Office, Holyhead Road, Gwalchmai
[FPL/2023/176](#)

12.4 – VAR/2023/67 – Garreglwyd Road, Holyhead.
[VAR/2023/67](#)

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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 10 January, 2024

- PRESENT:** Councillor Ken Taylor (Chair)
Councillor Glyn Haynes (Vice-Chair)
- Councillors Geraint Bebb, Jeff Evans, Neville Evans, John I. Jones, Trefor Lloyd Hughes, MBE, Robert Ll. Jones, Dafydd Roberts, Alwen Watkin, Robin Williams, Liz Wood.
- Local Members: Councillor Margaret M. Roberts (for application 12.2)
- IN ATTENDANCE:** Planning Development Manager (RLJ)
Group Engineer (Development Control and Traffic Management (AR)
Legal Services Manager (RJ)
Committee Officer (ATH)
Democratic Services Support Assistant (CH)
- APOLOGIES:** Councillor Jackie Lewis
- ALSO PRESENT:** Councillor Nicola Roberts (Portfolio Member for Planning, Public Protection and Climate Change), Sion O. Hughes (Senior Planning Officer) Shannon Bardsley (Planning Assistant).
-

1. APOLOGIES

An apology for absence was received from Councillor Jackie Lewis.

The Chair referred with great sadness to the recent bereavement suffered by Councillor Jackie Lewis with the loss of her young grandson. He extended his and the Committee's deepest condolences to Councillor Lewis and her family at this difficult time. The Chair also offered his and the Committee's sincerest sympathies to the family of former Councillor and member of the Planning and Orders Committee, Vaughan Hughes who had sadly passed away.

Councillor Nicola Roberts in adding her own sympathies to those above paid tribute to former Councillor Vaughan Hughes as a committed member of the Planning and Orders Committee and ward member, and as one who was passionate about the Welsh Language and culture. Councillor Roberts said that it had been a privilege to work alongside Vaughan Hughes over a period of ten years and that she had learnt a great deal from him during that time. His loss would be keenly felt.

All those present at the meeting stood in silence as a mark of sympathy and respect.

2. DECLARATION OF INTEREST

Councillor Ken Taylor declared a personal and prejudicial interest regarding application 11.1 on the agenda, the applicant being his sister.

Councillor John I. Jones declared a personal interest only in application 7.1 on the agenda and he also declared a personal and prejudicial interest in application 12.4 on account of his acquaintance with the applicant.

3. MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting of the Planning and Orders Committee held on 6 December, 2023 were presented and were confirmed as correct.

4. SITE VISITS

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

5. PUBLIC SPEAKING

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

6. APPLICATIONS THAT WILL BE DEFERRED

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

7. APPLICATIONS ARISING

7.1 FPL/2023/61 – Full application for the change of use of agricultural land into holiday lodge site, siting 13 holiday lodges, construction of new road on site, alterations to existing vehicular access together with soft and hard landscaping on land at Taldrwst, Lôn Fain, Dwyran

The application was reported to the Planning and Orders Committee at the request of a Local Member. At the Committee's 1 November, 2023 meeting, members resolved to conduct a site visit which subsequently took place on 15 November, 2023. At its meeting held on 6 December 2023 the Committee resolved to refuse the application contrary to the Officer's recommendation on the basis that insufficient drainage information had been provided to allow members to make a decision.

The Planning Development Manager reported that following the Committee's December meeting, the developer agreed to commission drainage works and at the time of writing, details of porosity tests have been provided to ascertain the acceptability of the proposed soakaways and these are being considered. This being so the Officer's recommendation is that the application be deferred to allow the Authority's specialist drainage team time to fully assess the information.

Councillor Robin Williams proposed, seconded by Councillor Dafydd Roberts that the application be deferred in accordance with the Officer's recommendation.

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

10.1 VAR/2023/70 – Application under Section 73A for the variation of condition (16) (Details of the Play Area) and (44) (Details of the Play Area) of planning permission reference VAR/2022/44 (Hybrid application for engineering centre, car park, children’s play area and outline application for residential dwellings, hotel, food and beverage and car park) so as to allow play area information to be submitted and work to be completed on the play area before the occupation of the 61st dwelling at Coleg Menai, Ffordd y Coleg, Llangefni

The application was reported to the Planning and Orders Committee as the original planning application was a departure application subject to the Committee’s approval.

The Planning Development Manager reported that the application is to amend the wording of condition (16) and condition (44) (Details of Play Area) on planning application VAR/2022/44 and provide a financial contribution towards open space. The request to amend the wording of the conditions has been made by Clwyd Alyn to regularise the current breach of conditions (16) and (44) of planning permission VAR/2022/44 as it is unable to comply with them because of land ownership. In 2017 Coleg Menai was granted hybrid planning permission for the creation of an engineering centre and outline planning for residential development of 153 units and a hotel. A reserved matters permission was granted in 2021 for the site which is the subject of the current application for 60 residential units. In the meantime Coleg Menai sold sites 2 and 3 to Clwyd Alyn for the development of 60 affordable units. However, the children’s play area is on site 1 on land currently owned by Coleg Menai and the 23 residential units planned for this parcel of land have not yet commenced. The children’s play area should have been completed prior to the occupation of the first dwelling on the site which include the affordable residential units on sites 2 and 3 now owned by Clwyd Alyn. Some of the residential dwellings developed by Clwyd Alyn on sites 2 and 3 are already occupied in breach of these conditions. As the children’s play area is on land owned by Coleg Menai, Clwyd Alyn has requested that the wording of the conditions is amended to allow the play area to be completed prior to the occupation of the 61st dwelling thereby allowing Clwyd Alyn to occupy all 60 affordable dwellings on sites 2 and 3 without breaching conditions (16) and (44). Clwyd Alyn has confirmed that they will provide a financial contribution of £18,164.13 towards the provision of a children’s play area within Llangefni town the contribution having been calculated based on the need resulting from the 60 affordable dwellings developed by Clwyd Alyn on sites 2 and 3. The children’s play area remains a part of the wider scheme on site 1 which is owned by Coleg Menai with the financial contribution applying to the 60 Clwyd Alyn units only. Coleg Menai will be expected to provide information about the other sites in due course.

As the land for the children’s play area is not owned by Clwyd Alyn, it is considered that the application to amend the wording of the conditions as described in the report is both reasonable and acceptable. The financial contribution committed to by Clwyd Alyn will enable the Council to provide open space provision within the community of Llangefni. The recommendation is therefore to approve the application.

Councillor Geraint Bebb proposed that the application be approved in accordance with the Officer’s recommendation. The proposal was seconded by Councillor Neville Evans.

In response to a question by Councillor Dafydd Roberts about where children would be expected to play until such time as the 61st unit is completed which could take several years, the Planning Development Manager advised that the £18k financial contribution which Clwyd Alyn has committed to make will help improve current facilities within Llangefni thereby mitigating the impact of the 60 units which it is developing. Once the 61st dwelling which is on land in Coleg Menai’s ownership is developed, Coleg Menai will be required to

provide details of a children's play area for the remainder of the site. The Planning Development Manager confirmed that there are two play areas close to the development site which could benefit from the funding by Clwyd Alyn to improve the facilities.

The Planning Development Manager further explained that the original application was a complex hybrid application involving multiple sites. Coleg Menai has sold one such site to Clwyd Alyn for the development of 60 affordable units which Clwyd Alyn is developing independently from the wider scheme and permission. Had Coleg Menai commenced the development of the 23 residential units on site 1 which are on land in its ownership they could have provided the children's play area which forms part of the site. As the land is not owned by Clwyd Alyn it was not possible for them to provide a children's play area prior to the development and occupancy of the affordable units they are developing on sites 2 and 3, hence the application to amend the wording of the conditions.

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

11. DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

11.1 FPL/2023/228 – Full application for extension to residential curtilage at Tyn Lleiniau, Llanfigael

The application was reported to the Planning and Orders Committee as the applicant is related to a serving councillor as defined in section 4.6.10.2 of the Council's Constitution. The application has been scrutinised by the Monitoring Officer in accordance with the requirements of section 4.6.10.4 of the Constitution.

Having declared a personal and prejudicial interest in the application, Councillor Ken Taylor withdrew from the meeting during the discussion and determination thereof. The item was chaired by the Vice-Chair, Councillor Glyn Haynes.

The Planning Development Manager reported that the application site is already used for residential purposes as an extension to the existing garden. The neighbouring property of Trem y Mynydd is on land adjacent to the north and has a very large garden area that extends to the east of the dwelling. The proposed extension to the residential curtilage would match the length and scale of the neighbouring property's garden. It is considered that the change of use of the land would not have a negative impact on the existing dwelling, would be similar in scale to the garden of the neighbouring dwelling and would not impact the surrounding area. Additionally the scheme has been amended to include ecological enhancements by way of the planting of a native hedge and the provision of hedgehog holes within the boundary fence in line with the Ecological Advisor's comments. The recommendation is therefore to approve the application.

Responding to a query by Councillor Robin Williams about whether the application would have been presented for determination by the Committee had the applicant not been related to a serving councillor, the Planning Development Manager advised that had that not been the case, the application would have been approved by Officers under delegated powers.

On that basis therefore Councillor Robin Williams proposed, seconded by Councillor John I. Jones, that the application be approved in accordance with the Officer's recommendation.

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

12. REMAINDER OF APPLICATIONS

12.1 FPL/2023/303 – Full application for the installation of an outdoor canopy, 3 outdoor table tennis tables, 2 basketball posts and an outdoor timber frame gazebo at Ysgol Syr Thomas Jones, Tanybryn Road, Amlwch

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

The Planning Development Manager reported that the proposed development will enable numerous subjects to be taught in an alternative way as well as providing a safe space for pupils at the school. He referred to the dimensions of the proposed timber framed gazebo and the outdoor canopy as specified within the Officer's written report saying that as Ysgol Syr Thomas Jones is a Grade II* listed building the impact of the proposal on the setting of this important heritage asset must be assessed. The Council's Heritage Advisor has attended a site meeting with the applicant to agree suitable locations for the proposed features and the submitted plans and supporting information are as agreed at the meeting. Consequently there are no built heritage objections. Given that the application site is within the curtilage of the school and is surrounded by existing trees and hedges and given also the use of the site as a school playing field/yard it is not considered that the proposal will adversely affect the amenities of neighbouring properties. The recommendation is therefore one of approval.

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

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

12.2 FPL/2023/146 – Full application for the demolition of the existing dwelling and erection of a new dwelling together with associated works at Cae Graham, Pentraeth

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

Councillor Margaret M. Roberts, a Local Member requested that a physical site visit be undertaken so that members might gain a better appreciation of the site including the view of the existing building from the beach.

The Planning Development Manager said that although he was not opposed to a physical site visit, given the narrowness of the track to the application site he advised that a video of the site visit would also be helpful for the benefit of those who might find navigating the track and beach difficult.

Councillor Robin Williams proposed, seconded by Councillor John I. Jones that a site visit be conducted.

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

12.3 FPL/2023/232 – Full application for the erection of solar photovoltaic panels structures with car port parking below at Isle of Anglesey County Council, Llangefni

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

The Planning Development Manager reported that the application is for the erection of solar photovoltaic panel structures with car port below the PV panels which are to be located on two of the Isle of Anglesey car parks located to the east and southeast of the Council Headquarters building. Between the two car parks a total of 1,062 solar PV panels will be installed and it is estimated that these panels will produce 389.55MWh. The panels are expected to have a lifespan of 30 years. The solar PV structures will be installed on 3.3m high poles with a clearance of 2.3m on one side and a clearance of 3.3m on the opposite side which will allow cars to park underneath the panels. No car parking spaces will be lost because of the development. The electricity generated by the PV system will be consumed by the buildings/accessories connected to the Isle of Anglesey County Council building and electric vehicle chargers. Any unused electricity will go back to the grid. Although not part of this application, a battery storage solution can be added at a later date to allow any excess energy to be stored for future use.

Both national and local planning policy is generally supportive of solar developments providing such proposals do not have a detrimental impact on the surrounding area. The key policy with regard to the proposed development is Policy ADN 2 which supports solar development subject to adherence to the criteria as set out in the Officer's report. The development is located in the car park on the industrial estate in Llangefni and as such it is not considered that it will impact on the character of the landscape, biodiversity nor the heritage designation. The site is well screened by existing units on the industrial estate and Council Headquarters. The existing trees and hedges on the boundaries of the car park will also help in mitigating any residual impact. Due to the site's distance from the highway and the intervening industrial units it is not considered that the proposed panels will adversely affect highway users by way of reflection or glare. There are no residential properties nearby and although there are industrial units in close proximity to the proposal it is not considered that it will negatively impact the units nor employment. Whilst a Construction Environmental Management Plan is not considered necessary in this instance as there are no residential properties in the vicinity, the Highways Authority has requested that the applicant provide a Construction Traffic Management Plan to deal with construction traffic and this will be a condition that will have to be discharged prior to the commencement of work on site.

The proposal will help the Isle of Anglesey County Council achieve net zero and promote renewable energy technologies thereby reducing energy demand and supporting the energy efficiency of the Council Headquarters building and its functions. The recommendation is to approve the application.

Councillor Geraint Bebb as a Local Member welcomed the development and proposed that the application be approved in accordance with the Officer's recommendation. The proposal was seconded by Councillor Dafydd Roberts.

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

12.4 FPL/2023/227 – Full application for the demolition of the existing dwelling together with the erection of a replacement dwelling together with alterations to existing access, private treatment plant and associated works at Ty Coch Farm, Rhostrehwfa

The application was reported to the Planning and Orders Committee as the existing access/track is retained in the freehold ownership of the David Hughes Charitable Estate

whereby the Council is the sole trustee. The applicant has a formal right of way along the track to access their property and authority has been provided to permit this application.

Councillor Geraint Bebb speaking as a Local Member requested that a physical site visit be undertaken so that members could gain a better perspective of the existing site and surroundings and the potential impact were the site to be developed as per the application.

Councillor Robin Williams proposed, seconded by Councillor Neville Evans that a site visit be conducted.

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

13. OTHER MATTERS

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

**Councillor Ken Taylor
Chair**

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PLANNING SITE VISITS

Minutes of the meeting held on 24 January, 2024

PRESENT:	Councillor Ken Taylor (Chair) Councillors Geraint Bebb, Neville Evans, Glyn Haynes, R. Llewelyn Jones, Dafydd Roberts.
IN ATTENDANCE:	Planning Development Manager (RLIJ) Senior Planning Officer and Case Officer for application 1 (JR) Planning Assistant and Case Officer for application 2 (DCP-S)
APOLOGIES:	Councillors John I. Jones, Jackie Lewis, Alwen Watkin, Robin Williams, Liz Wood.
ALSO PRESENT:	Local Members: Councillors Margaret M. Roberts, Ieuan Williams (for application 1)

1. FPL/2023/146 – Full application for the demolition of the existing dwelling and erection of a new dwelling together with associated works at Cae Graham, Pentraeth

The Planning Development Manager presented the planning application to the members of the Planning and Orders Committee. The application site was viewed from the Beach (Traeth Coch Pentraeth) before members of the Committee walked from the entrance of Tyddyn Waen to the application site where the site was viewed from within the curtilage of the property.

2. FPL/2023/227 – Full application for the demolition of the existing dwelling together with the erection of a replacement dwelling together with alterations to existing access, private treatment plant and associated works at Ty Coch Farm, Rhostrehwfa

The Planning Development Manager presented the planning application to the members of the Planning and Orders Committee. The application site was viewed from within the curtilage of the property and the Planning Development Manager showed members of the Committee the location of the nearby public footpath.

**Councillor Ken Taylor
(Chair)**

Planning Committee: 07/02/2024

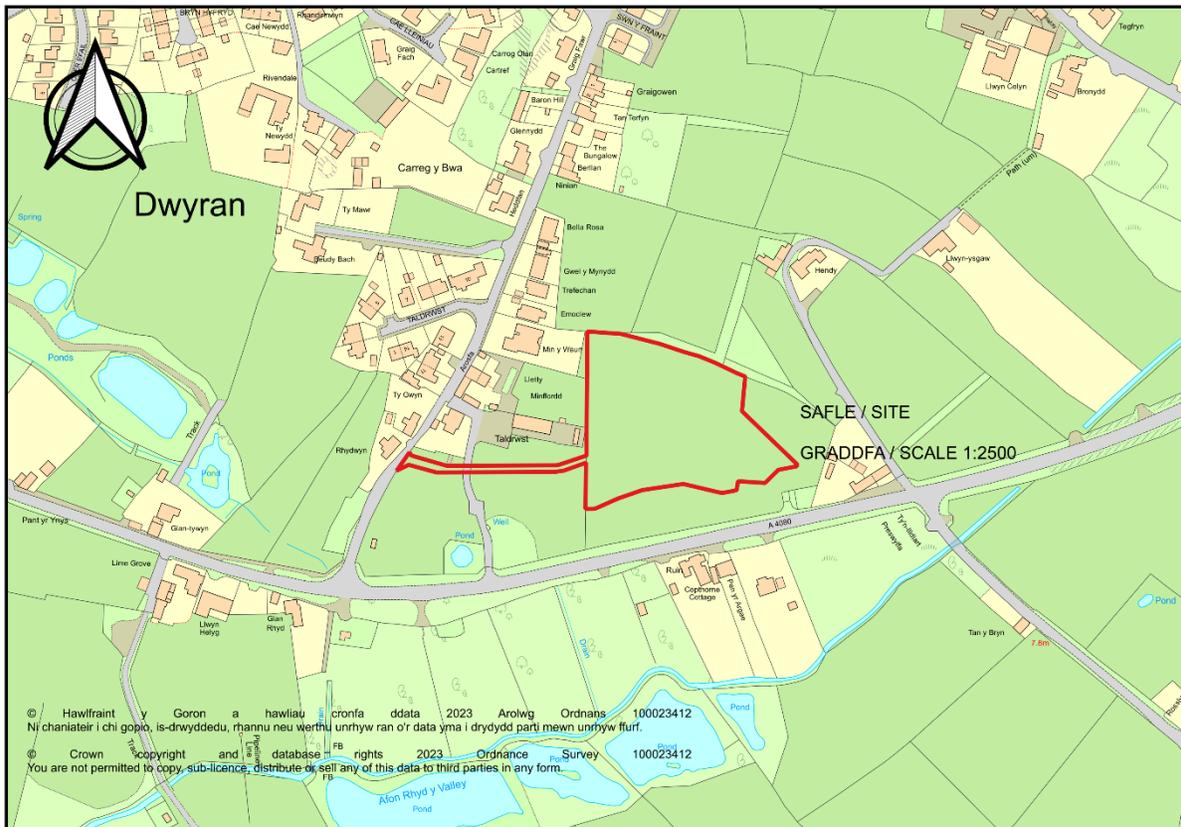
6.1

Application Reference: FPL/2023/61

Applicant: Mr G Williams

Description: Full application for the change of use of agricultural land into holiday lodge site, siting 13 holiday lodges, construction of new road on site, alterations to existing vehicular access together with soft and hard landscaping on land at

Site Address: Taldrwst, Lon Fain, Dwyran



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

Recommendation: Defer

Reason for Reporting to Committee

The application is presented to the planning committee at the request of local member Arfon Wyn. At the committee meeting held on the 1st of November 2023, the members voted to conduct a physical site visit. The site visit took place on the 15th of November 2023 and therefore the members will now be familiar with the site and its surroundings.

At the committee meeting held on the 6th December, 2023, members resolved to refuse the application contrary to officer recommendation. The given reasons were as following;

- **Insufficient drainage information provided to allow members to make a decision.**

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

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

Paragraph 4.6.12.2 requires that;

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

This report will therefore give consideration to these matters.

The department would again like to reiterate that surface water matters are outside of the remit of the planning process and as such it is not possible or reasonable to insist that such matters are fully addressed as part of any planning application. Despite this, the developer has agreed to provide this information for the benefit of the planning committee so as a decision may be made. At the time of writing this report, details of porosity tests have been provided in order to ascertain the acceptability of the proposed soakaways and is being considered by the Local Authority drainage team. The department propose the application is deferred until the next planning committee so as the information has been fully assessed.

Recommendation

Defer

Planning Committee: 07/02/2024

7.1

Application Reference: FPL/2023/146

Applicant: Mr Matt Sharp

Description: Full application for the demolition of the existing dwelling and erection of a new dwelling together with associated works at

Site Address: Cae Graham , Pentraeth



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

Recommendation: Permit

Reason for Reporting to Committee

At the request of the Local Member - Councillor Margaret Murley Roberts.

At the meeting held on the 10th January 2024, members resolved to visit the site. The site visit took place on the 24th January 2024 and members will now be familiar with the site.

Proposal and Site

The application is for the demolition of the existing dwelling and the erection of a new dwelling together with associated works at Cae Graham, Pentraeth.

The application site is located within a designated Area of Outstanding Natural Beauty in a wooded area to the South of Red Wharf Bay situated along a track off Lon Y Traeth.

Key Issues

The key issues are whether the development is in compliance with local and national planning policies and whether it is acceptable in terms of design, siting, scale, appearance and impact upon the character and appearance of the designated AONB.

Policies

Joint Local Development Plan

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
 Strategic Policy PS 5: Sustainable Development
 Policy PCYFF 4: Design and Landscaping
 Policy PCYFF 3: Design and Place Shaping
 Policy PCYFF 1: Development Boundaries
 Policy PCYFF 2: Development Criteria
 Policy TRA 4: Managing Transport Impacts
 Policy TRA 2: Parking Standards
 Policy TAI 13: Replacement Dwellings
 Policy AMG 1: Area of Outstanding Natural Beauty Management Plans
 Policy AMG 5: Local Biodiversity Conservation

Planning Policy Wales (Edition 11, February 2021)

Technical Advice Note 12: Design (2016)

Technical Advice Note 5: Nature Conservation and Planning (2009)

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

Supplementary Planning Guidance - Replacement Dwellings and Conversions in the Countryside (September 2019)

Anglesey AONB Management Plan 2023-2028

Response to Consultation and Publicity

Consultee	Response
Swyddog Hawliau Tramwy Cyhoeddus/ Public Rights of Way Officer	No response at time of writing report.
Cynghorydd Euryn Morris	No response at time of writing report.
Cynghorydd Ieuan Williams	No response at time of writing report.
Cynghorydd Margaret Murley Roberts	Request that the application be referred to the Planning Committee for determination.
Cyngor Cymuned Pentraeth Community Council	No response at time of writing report.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Comments in relation to ecology and biodiversity matters.
Ymgynghorydd Tirwedd / Landscape Advisor	No response at time of writing report.

Polisi Cynllunio / Planning Policy	Comments and advice in relation to the relevant policy framework.
Iechyd yr Amgylchedd / Environmental Health	Comments in relation to environmental considerations.
Priffyrdd a Trafnidiaeth / Highways and Transportation	No objection / comments.
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objection / comments.
Dwr Cymru Welsh Water	No observations.
Draenio / Drainage	Comments in relation to SuDS requirements and flood risk.

The application was afforded three means of publicity. These were the posting of personal notification letters to the occupiers of the neighbouring properties, the posting of a site notice and the publication of an advert in the local press. The latest date for the receipt of representations was the 22/11/2023. At the time of writing this report, 9 representations had been received and the main points are summarised below:

- Concern regarding surface water drainage/flooding – during heavy rain a lot of surface water flows down the tracks/hillside, concern that the development would exacerbate issues with surface water / *No concerns have been raised in this regard from relevant statutory consultees and in any case separate SuDS approval will also be required.*
- The track to the site is unsuitable/inadequate for more permanent residents and there is no vehicular right of way along the track which is not within the applicants ownership / *The proposal is for a replacement dwelling and will not therefore increase the number of residents. Certificate B and appropriate notices have been served on the landowner as part of the application, this is ultimately a private legal matter and the onus is upon the applicant to ensure that the relevant rights of way are in place.*
- Claim that the existing property has never been used as a permanent residence, queries regarding the granting of a Lawful Use Certificate / *The property was granted a Certificate of Lawfulness in January 2016 (ref 42C249/LUC). No such claims were submitted to the LPA at the time of dealing with the CLEUD. The matters raised in the objections to this application were referred to the Council's Legal Department who reviewed the CLEUD application and was satisfied that it was dealt with and determined in the appropriate manner.*
- Concern regarding visual impact and impact on AONB / *Addressed in the main body of the report.*
- Concern regarding the size, scale and prominence of the new dwelling / *Addressed in the main body of the report.*
- Concern regarding traffic, noise, disturbance during construction works and the impact this would have on the surface of the track and wall/bridge over river. / *Whilst acknowledging that such works would give rise to some disturbance, this would be a short term impact and is not grounds upon which the application could be refused.*
- Concern regarding the stability of the land to accommodate a new permanent dwelling / *This is a matter for Building Control.*
- No information submitted in relation to viability/cost of retaining/renovating/upgrading existing dwelling / *The LPA are satisfied that due to the method of construction and poor thermal and weather resistance that the building has a limited lifespan and that its replacement with a permanent building is a more economical option, consequently, viability/cost information is not required in this instance.*
- Concern regarding impact on wildlife, ecology, biodiversity, trees etc. / *Addressed in the main body of the report.*
- Concern that the proposed new dwelling would be used as a holiday home/let. / *The application is made for a replacement dwelling however consent would not be required for its use as a second home or short term holiday lets unless the Authority adopts an Article 4 direction removing permitted development rights for changes of use between dwellings, second homes and short term holiday lets.*

- The existing dwelling was constructed without planning permission / *Notwithstanding that that may be the case, the property has nevertheless been granted a Certificate of Lawfulness (ref 42C249/LUC granted on 6.1.16)*
- The proposed replacement dwelling is not on the footprint of the existing dwelling / *Addressed in the main body of the report.*
- Concern regarding overlooking/loss of privacy / *It is not considered that the proposal would give rise to an unacceptable degree of overlooking/loss of privacy due to existing screening/tree cover, topography and that there is sufficient separation between the proposed dwelling and neighbouring properties.*
- Proposal is contrary to the provision of policy TAI 13 / *Addressed in the main body of the report.*

Relevant Planning History

42C249/LUC - Cais am Dystysgrif Datblygiad Cyfreithlon ar gyfer defnydd presennol fel annedd preswyl yn / Application for a Lawful Development Certificate for the existing use as a residential dwelling at Y Mynydd, Pentraeth - Cyfreithlon / Lawful 6.1.16

Main Planning Considerations

The application is made for the demolition of the existing dwelling and erection of a new dwelling together with associated works at Cae Graham, Pentraeth.

The application site is located in the open countryside in a designated Area of Outstanding Natural Beauty.

LANDMAP describes the area as *'Rising steeply from Red Wharf Bay to 157m, this hillside provides a fine backdrop to the coast and offers a grand view across the bay. When seen from inland, this area is noticeably craggy, with gorse-covered knolls interspersed with marshy hollows, but is not much higher than the adjacent farmland plateau. Within this area, the settlement of Llanddona is spread out around a series of small greens. From Llanddona steep lanes lead down the hillside, passed scattered houses overlooking the bay. Altogether this is an attractive landscape'*.

Its overall Value is noted as **High** as a *'Distinct hillside backdrop to Red Wharf Bay, with pattern of small scale enclosures, excellent views, attractive scattered houses. Masts mar a little'*.

The main issues in this case is whether the proposal accords with relevant development plan policies and the impact of the proposed development upon the designated landscape and the amenities of the area and neighbouring properties.

Policy PCYFF 1 of the JLDP relates to Development Boundaries and states that the plan identifies Development Boundaries for the Sub-regional Centre, Urban Service Centres, Local Service Centres, Service Villages and Local/Rural/Coastal Villages. Proposals within Development Boundaries will be approved in accordance with other policies and proposals of this Plan, national planning policies and other material planning considerations.

Outside development boundaries development will be resisted unless it is in accordance with specific policies in this Plan or national planning policies or that the proposal demonstrates that its location in the countryside is essential.

The application site lies outside of any defined development boundary and therefore falls to be considered against other specific plan policies.

Policy PCYFF 2 of the JLDP relates to development criteria and states that proposals should demonstrate compliance with relevant plan policies and/or national planning policy and guidance.

Policy PCYFF3 relates to Design and Place Shaping and requires that all proposals will be expected to demonstrate high quality design which fully takes into account the natural, historic and built environmental

context and contributes to the creation of attractive, sustainable places and sets out a number of criteria against which proposals must be assessed.

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

Criterion 2 requires that it respects the context of the site and its place within the local landscape, including its impact on important principal gateways into Gwynedd or Anglesey, its effects on the townscape and the local historic and cultural heritage and it takes account of the site topography and prominent skylines or ridges.

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

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

1. Demonstrate how the proposed development has given due consideration to the Landscape Character Area Assessment or Seascape Character Area Assessment;
2. Demonstrate how the proposed development respects the natural contours of the landscape;
3. Demonstrate how the proposed development respects and protects the local and strategic views;
4. Respect, retain and complement any existing positive natural features, landscapes, or other features on site;
5. Identify trees, hedgerows, water courses and topographical features to be retained;
6. Provide justification for circumstances where the removal/loss of existing trees, hedgerows, water courses and topographical features cannot be avoided and provides details of replacements;
7. Provide details of any proposed new landscaping together with a phased programme of planting;
8. Demonstrate that any proposed new planting includes plants and trees of mainly native species of local provenance and does not include any non-native invasive species;
9. Ensure that selection of species and planting position of any trees allows for them to grow to their mature height without detriment to nearby buildings, services and other planting; and
10. Provide permeable hard surface landscaping

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

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

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

1. Outside development boundaries or identified clusters, the present dwelling has a lawful residential use;
2. The building is not listed
3. The existing dwelling is of no particular architectural and/or historic and/or visual merit, for which it should be conserved;
4. Outside development boundaries the existing dwelling is not capable of retention through renovation and extension and/or it is demonstrated that the repair of the existing building is not economically feasible;
5. Outside development boundaries, the proposed dwelling is not a replacement for a caravan or holiday chalet that has legal residential status;

6. Outside a Coastal Change Management Area, the siting of a replacement dwelling should be within the same footprint as the existing building unless it can be demonstrated that relocation within the curtilage lessen its visual and amenity impact in the locality;
7. Outside development boundaries, the siting and design of the total new development should be of a similar scale and size and should not create a visual impact significantly greater than the existing dwelling in order that it can be satisfactorily absorbed or integrated into the landscape. In exceptional circumstances a larger well designed dwelling that does not lead to significant greater visual impact could be supported;
8. In area at risk from flooding and outside a Coastal Change Management Area;
 - i. A flood consequence assessment has been undertaken for the development and satisfactory risk mitigation has been identified.
 - ii. The dwelling will incorporate flood mitigation and resiliency measures in accordance with Community and Local Government (CLG) publication 'Improving the flood performance of new buildings; flood resilient construction';
 - iii. The building must be appropriately designed to withstand and be resilient to hydrostatic pressure resulting from a breach/overlapping of the tidal defences;
 - iv. A flood warning and evacuation plan has been prepared for the property and is to be displayed on site.
9. Exceptionally, when a recently or inhabited or habitable dwelling is destroyed by accident, planning permission may be granted for a new dwelling, in situ. Evidence about the status and previous condition of the building and the cause and extent of the damage must be provided.

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

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

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

The proposal relates the replacement of an existing unlisted dwelling with lawful residential status and is not a replacement of a lawful residential caravan or chalet (as defined under the Caravan Sites and Control of Development Act 1960), in addition it is not considered that the existing dwelling is of any particular architectural, historic or visual merit such that it should be conserved, the proposal therefore meet criteria 1, 2, 3 and 5 of the policy.

Criterion 4 of the policy requires that the existing dwelling is not capable of retention through renovation and extension and/or it is demonstrated that the repair of the existing building is not economically feasible.

Further guidance is contained in the SPG which states that it should be demonstrated that repairing the existing building is not economically practical and that a structural report should be provided that notes the suitability of the building for reuse, furthermore the structural survey should be supported by a Financial Viability Report detailing the cost of undertaking the restoration/adaption of the building compared to the costs associated with demolition and replacement. A house that requires modernisation is not eligible to be considered for demolition and replacement. Any Viability Assessment should include the costs associated with repairing the identified problem, the costs in terms of repairing the building should not include work that is part of the applicant's aspiration.

A Structural Survey has been submitted as part of the application which confirms that the existing building is of timber frame construction of poor thermal performance and weather resistance. Such buildings generally have a limited lifespan and whilst it may be possible to undertake repairs to the building, clearly the works necessary to bring to the property to an acceptable standard are significant and by its very nature would serve to only prolong the life of the building in the short term, consequently it is therefore accepted that the renovation and retention of the existing dwelling is not economically feasible in this

instance and its replacement is an appropriate and sustainable long term solution, in accordance with criterion 4 of policy TAI 13.

The existing dwelling is located towards the rear of the site and faces North East. The proposed dwelling would be sited slightly forward of and lower than the existing dwelling and oriented to face the North West to take advantage of open views. Whilst the proposed replacement dwelling would not be in precisely the same location as the existing, there would be some overlap of the building footprints which would ensure that the existing dwelling would need to be demolished in order to erect the replacement dwelling, furthermore it is not considered that the proposed siting would give rise to unacceptable landscape or visual impacts upon the designated AONB or upon the amenities of adjoining uses. On balance it is therefore considered that the proposal accords with criterion 6 of the policy.

Criterion 8 and 9 of the policy are not relevant to this development.

Criterion 7 states that outside development boundaries, the siting and design of the total new development should be of a similar scale and size and should not create a visual impact significantly greater than the existing dwelling in order that it can be satisfactorily absorbed or integrated into the landscape. In exceptional circumstances a larger well designed dwelling which does not lead to significantly greater visual impact could be supported.

Further guidance is contained in the SPG which states that where justification has been received which would mean that the floor area would need to be larger than the original building, it is considered that this addition should be no larger than 20% of the floor area of the original unit. It notes that this figure is not a target to be achieved and every application will be assessed individually according to merit. It should be ensured that the addition in the floor area is totally essential in terms of practicality and should not be part of an aspiration for a larger house. It is further notes that no outbuilding should be considered when calculating the floor area of the residential unit and that nearby buildings that are larger in size are not a reasonable justification to increase the size of the residential unit that is subject to replacement.

The proposal would replace the existing single storey dwelling with a larger, partially two-storey property. LDP Policy TAI 13 permits proposals for replacement dwellings, subject to a range of criteria being met, with further guidance provided in the Council's adopted Supplementary Planning Guidance 'Replacement Dwellings and Conversions in the Countryside' (SPG).

Criterion 7 requires the siting and design of replacement dwellings to be of a similar scale and size as the existing dwelling, and that proposals should not result in a significantly greater visual impact. It goes on to state that in exceptional circumstances a larger well-designed dwelling that does not lead to significantly greater visual impact could be supported.

Whilst the proposal would lead to a dwelling some 50% larger than the dwelling that currently exists, it is of a high quality design and use of dark natural materials which along with appropriate landscaping would represent an improvement upon the existing development and integrate well into the landscape. The dwelling would be nestled into the hillside and be well screened by existing trees and topography and would not result in a significantly greater or unacceptable visual impact upon the character and appearance of the area or designated AONB.

It is therefore considered that the proposal complies with the provisions of policies PCYFF3, PCYFF4, TAI13 and AMG 1 of the JLDP.

Policy TRA 2 (Parking Standards) requires that parking provision for all modes of transport should be in accordance with the Council's parking standards. The proposal includes adequate parking provision.

The highways department have been consulted on the proposal and have raised no objection subject to a conditions.

An Ecological Appraisal and Bat Survey Report have been submitted as part of the application. The report found evidence of bats and of the presence of invasive non-native species (Variegated Yellow Archangel and Wall Cotoneaster) on the site consequently the permission will be subject to relevant conditions as appropriate.

The proposal also includes appropriate bat mitigation and biodiversity enhancements in accordance with policy AMG5 and the Section 6 Duty of the Environment Wales Act 2016.

Conclusion

The proposal is considered to be acceptable and accords with relevant local development plan policies and it is not considered that the proposal would give rise to a significant detrimental visual impact upon character and appearance of the designated area or the amenities of nearby 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 site shall be landscaped in accordance with the landscaping and planting scheme detailed on drawing No. 1243 A DR 010 Rev. E during the first planting season following the occupation of the dwelling or the completion of the development, whichever is the sooner. The said trees and shrubs shall be maintained for a period of five years from planting and any trees or shrubs that die, or become severely damaged, or seriously diseased during this period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted.

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

(03) Full details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. Thereafter the works shall be carried out and maintained in accordance with the approved details.

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

(04) No development shall commence until a method statement detailing measures to prevent the spread of non-native invasive species has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To prevent the spread of non-invasive species.

(05) The car parking accommodation shall be completed in full accordance with the details as shown on the submitted plan reference 1243 A DR 010 Rev. E 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.

(06) Demolition or construction works shall not take place outside the hours of 08.00 to 18.00 Mondays to Fridays and 08.00 to 13.00 on Saturdays and at no time on Sundays or Public Holidays.

Reason: To protect the amenities of nearby residential occupiers.

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

Reason: In the interests of residential and visual amenity.

(08) The development hereby approved shall be carried out in accordance with the Recommendations detailed in sections 5 of the Ecological Appraisal November 2022 and the Mitigation Measures detailed in section 5.2 of the Bat Survey Report 2023 by Rachel Hacking Ecology.

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

(09) In the event of any contamination being found, a suitable Remediation Strategy should be prepared for the site which should be submitted to the Local Planning Authority for its written approval prior to any other works being carried out.

Reason: In the interests of public health.

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

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

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

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

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

- **Site Location Plan: 1243 A DR 000 Rev. A**
- **Proposed Site Plan: 1243 A DR 010 Rev. E**
- **Proposed Plans: 1243 A DR 011 Rev. C**
- **Proposed Elevations: 1243 A DR 012 Rev. B**
- **Proposed Levels: 1243 A DR 014 Rev. A**
- **Lighting Splay: 1243 A DR 015 Rev. B**

- **Drainage Design GA: 1093-WML-00-XX-DR-C-1001 Rev. P02**
- **Ecological Appraisal, Rachel Hacking Ecology, November 2022**
- **Bat Survey Report 2023, Rachel Hacking Ecology**
- **Arboricultural Impact Assessment, WC-133.1a, Woodsage Consulting, 1 December 2022**
- **Structural Report, WML Consulting**
- **Design and Access Statement, JDA Architects**

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

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PS5, PS6, PS19, PCYFF1, PCYFF2, PCYFF3, PCYFF4, TRA2, TRA4, TAI13, AMG1, 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.

INFORMATIVE

Vibration:-

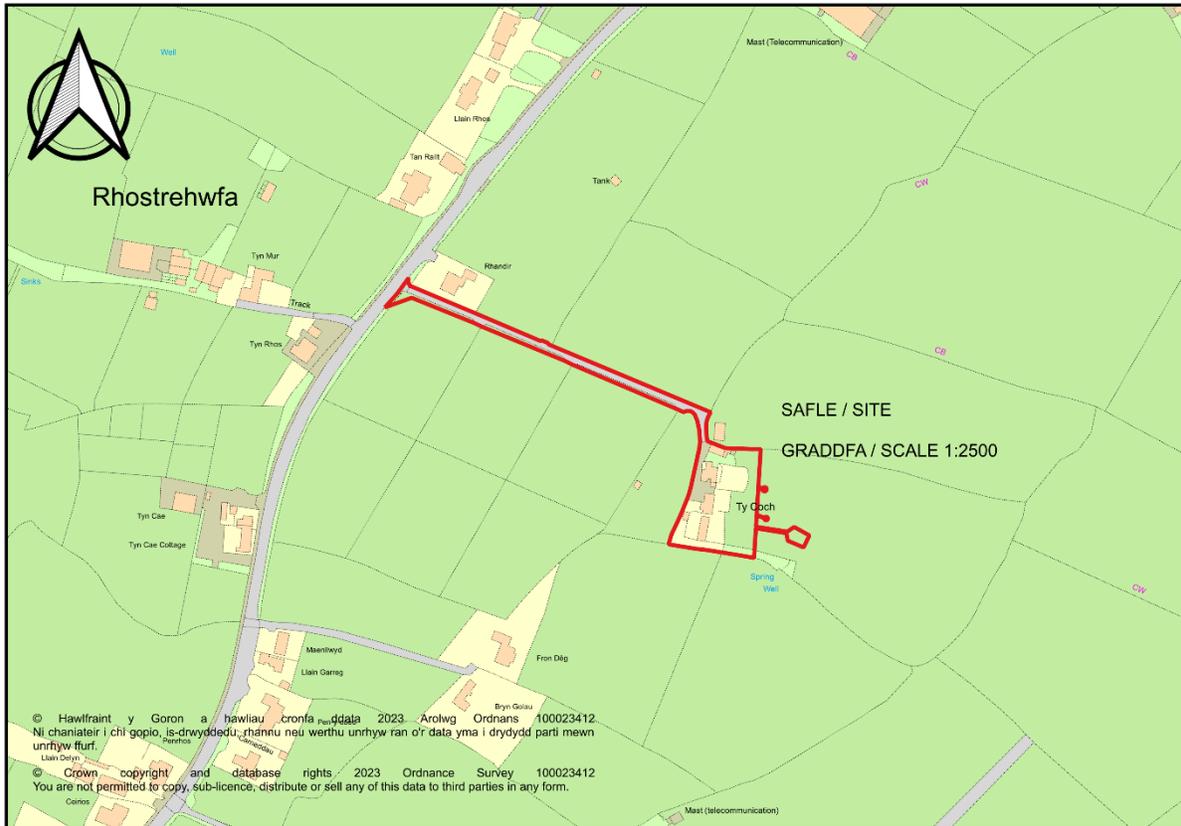
It is highly recommended that the applicant undertake an external and internal pre-condition survey of all residential properties that will be in close proximity to any piling / rock breaking / pecking / demolition activities to check for any pre-existing cracks and structural damage. This would not only protect the developer from any future legal claims of damage etc., but it would also provide the residents with some degree of comfort that any issues relating to the properties as a direct result of the developers activities could be addressed in a reasonable and proportionate manner.

Application Reference: FPL/2023/227

Applicant: Mr G Gibson

Description: Full application for the demolition of the existing dwelling together with the erection of a replacement dwelling, together with alterations to existing access, private treatment plant, and associated works at

Site Address: Ty Coch Farm, Rhostrehwfa,



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

Recommendation: Refuse

Reason for Reporting to Committee

The existing access/track is retained in the freehold ownership of the David Hughes Charitable Estate, whereby the Council is the sole trustee. The applicant has a formal right of way along the track to access their property and authority has been provided to permit this application.

At the planning committee on the 10th January it was decided that a physical site visit should be undertaken. The site visit took place on the 24th January and members are now aware of the site and its settings.

Proposal and Site

The proposed site is located along a single lane track that is accessed from the public road between Rhostrehwfa and Llangefni. The site is not with a development boundary or a cluster of dwellings and is considered within the open countryside as defined by the Joint Local Development Plan. The existing site has an existing two storey farmhouse dwelling, two outbuildings and agricultural land owned by the applicant on land adjacent to the East and West.

The proposed development is the demolition of the existing dwelling and one of the outbuildings together with the erection of a replacement dwelling, alterations to existing vehicle access onto the public road, installation of a private treatment plant, extension to the residential curtilage together with soft and hard landscaping.

Key Issues

The key issues are whether the proposal complies with planning policies, SPGs and the siting, scale, design and appearance would have a negative impact on the site and the surrounding area.

Policies

Joint Local Development Plan

PS 2 Infrastructure and developer contributions
 ISA 1 Infrastructure Provision
 PS 4 Sustainable transport, development and accessibility
 TRA 2 Parking standards
 TRA 4 Managing transport impacts
 PS 5 Sustainable development
 PS 6 Alleviating and adapting to the effects of climate change
 PCYFF 1 Development boundaries
 PCYFF 2 Development criteria
 PCYFF 3 Design and place shaping
 PCYFF 4 Design and Landscaping
 PCYFF 5 Carbon Management
 PCYFF 6 Water conservation
 TAI 13 Replacement Dwellings

Supplementary Planning Guidance: Replacement Dwellings and Conversions in the Countryside
 Supplementary Planning Guidance: Design Guide For The Urban & Rural Environment

Technical Advice Note 12: Design

Planning Policy Wales (Edition 11 February 2021)

Response to Consultation and Publicity

Consultee	Response
Polisi Cynllunio / Planning Policy	Provided comments on how the proposed application will need to comply with all criteria within JLDP Planning Policy TAI 13.
Swyddog Hawliau Tramwy Cyhoeddus/ Public Rights of Way Officer	The footpaths officer has concerns that the proposed boundary treatments would block the existing footpath. The agent has confirmed on the amended plan that the boundary is an existing hedgerow and would not block the footpath.

	Footpath officer has confirmed that they are satisfied with the arrangement.
Cyngor Cymuned Llangristiolus Community Council	Requested more time to consult on first consultation request but no observation received. The second consultation there has been no observations received to date.
Iechyd yr Amgylchedd / Environmental Health	Provided advice and comments regarding environmental issues, contaminated land and possible development vibrations.
Priffyrdd a Trafnidiaeth / Highways and Transportation	The first consultation response requested further information and plans as to the alterations to the vehicle access onto the public road. The agent provided the requested plans and information. The Highways Authority support the improvements to the vehicle access on the condition that a section 171 is agreed for the works being carried out to the verge. The other proposed works to the access, it is a matter of agreement between the local authority's property department, David Hughes Charitable Estate, and the applicant regarding the rest of the works into the field to open the splay of the access up.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	The Ecological Advisor had concerns regarding the removal of hedgerow along the vehicle access track and the application would need to mitigate more hedgerow on site.
Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service	Stated there are no comments to be made in this instance.
Cynghorydd Nicola Roberts	No observations received to date.
Dwr Cymru Welsh Water	Requested the applicant discuss with Welsh Water regarding the watermain crossing the vehicle access onto the public road and that the watermain might be able to be diverted.
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objection to the proposed development and advice for the applicant.
Cynghorydd Geraint ap Ifan Bebb	No observations received to date.
Draenio / Drainage	Advice for applicant regarding SAB application.
Adain Eiddo / Property Section	Confirmed the ownership of the vehicle access and track.

Publicity

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties, a site notice put on site together with an advertisement within the local newspaper with the expiry date for receiving representations was the 15/12/2023. At the time of writing this report no letters of representation have been received.

Relevant Planning History

FPL/2023/47 - Cais llawn i ddymchwel yr annedd bresennol ynghyd â chodi annedd newydd, ynghyd a garej newydd, system trin carffosiaeth, a gwaith cysylltiedig yn / Full application for the demolition of the existing dwelling together with the erection of a replacement dwelling, together with a new garage, treatment plant, and associated works at Ty Coch Farm, Rhostrehwfa, Llangefni. Tynnwyd yn ôl / Withdrawn 15/05/2023.

Main Planning Considerations

The application is for the demolition of the existing dwelling and one of the outbuildings together with the erection of a replacement dwelling, alterations to existing vehicle access onto the public road, installation of a private treatment plant, extension to the residential curtilage together with soft and hard landscaping and is to be determined by the council as the vehicle access track from the public road is owned by the Isle of Anglesey County Council.

The main planning considerations are if the proposal complies with planning policies, SPGs and the siting, scale, design and appearance would have a negative impact on the site and the surrounding area.

(i) Planning Policy TAI 13

JLDP Policy TAI 13 states

Proposals for the replacement of a dwelling that meet the following criteria, where appropriate, will be granted:

1. Outside development boundaries or identified clusters, the present dwelling has a lawful residential use;

There is no record that the existing dwelling has been abandoned at any point.

2. The building is not listed;

The building is not listed.

3. The existing dwelling is of no particular architectural and/ or historic and/ or visual merit, for which it should be conserved;

The existing dwelling is a two-storey detached house and has some character as a farmhouse dwelling with slate roofs, stone wall construction with rendered walls. The dwelling does not have any particular architectural merit but is located within close proximity to public rights of way footpaths that run through the site and can be seen from the A5114 road leading into Llangefni. In the context of the site this dwelling has a farmhouse character with surrounding fields and existing outbuildings on site.

4. Outside development boundaries the existing dwelling is not capable of retention through renovation and extension and/ or it is demonstrated that the repair of the existing building is not economically feasible;

The structural survey report provided with the application concluded that it would be more favourable to demolish and build a replacement dwelling. The cost comparison provided does state that refurbishment would cost a significant amount of money but when comparing the refurbishment costs and the costs of extensions and a replacement dwelling the refurbishment is much less. **The proposed dwellings scale and design is significantly more costly than the refurbishment and is contrary to criteria 4 of policy TAI13 and the council's SPG.**

5. Outside development boundaries, the proposed dwelling is not a replacement for a caravan or holiday chalet that has a legal residential use;

The proposed is a replacement dwelling not a replacement of a caravan or holiday chalet that has a legal residential use.

6. Outside a Coastal Change Management Area, the siting of a replacement dwelling should be within the same footprint as the existing building unless it can be demonstrated that relocation within the curtilage lessen its visual and amenity impact in the locality;

The proposed siting of the replacement dwelling is not located in the same footprint of the existing dwelling. The proposed dwelling is located to the South East of the existing dwelling with parking spaces assigned to where the existing dwellings footprint is. The applicant/agent has provided written confirmation and justification as to the need to move the proposed dwelling away from the existing dwellings footprint. **The proposed scale, design and appearance of the building in its proposed location would have not lesson its visual impact but have a negative impact on the visual appearance of the site from footpaths running through the site and from the A5114 road leading into Llangefni.**

7. Outside development boundaries, the siting and design of the total new development should be of a similar scale and size and should not create a visual impact significantly greater than the existing dwelling in order that it can be satisfactorily absorbed or integrated into the landscape. In exceptional circumstances a larger well designed dwelling that does not lead to significant greater visual impact could be supported;

The total floor area of the ground floor and approximate first floor levels of the existing dwelling is approximately 141.1 metres squared total. The proposed replacement dwelling's floor areas of the ground and first floor level are 557.2 metres squared in total. The percentage increase in floor area from the existing dwelling to the proposed dwelling is approximately 295%. The agent has provided examples of other dwellings that have had planning permission previously and the determining officer has assessed all of these referenced applications. These previous applications for replacement dwellings were larger in scale than the existing dwellings but each application and their sites are different and need to be considered individually rather than as precedents for all planning applications.

Justification letters and a Design and Access Statement have been provided to explain how the applicant and agent believe the proposed development would comply with JLDP Planning Policies and Supplementary Planning Guidance. The proposed scale of the development is much greater in footprint, greater overall floor area and greater in height than the existing dwelling. The proposed design of the dwelling is modern in its style with the walls being angled not perpendicular but at 45 degrees or less than 45 degrees. This design gives the dwelling a different characteristic for each part of the proposed dwelling. The proposed slate roofs have four pitched roof characteristics but with the different roof heights in different sections of the house the overall design is very uncharacteristic to the site and area. The material choices for the proposed dwelling are slate pitched roofs, dark metal profiled cladding on the walls first floor, rendered walls on the lower ground floor, one section of the dwelling have red brick walls and large glazing windows on the South East elevation. **The proposed material choices, the much greater scale of the dwelling, its siting on site together with its appearance do not prevent or lessening its visual appearance on site and would have a negative impact on site and the surrounding area, contrary to criteria 7 of the policy TA113 and the council's SPG.**

8. In areas at risk from flooding and outside a Coastal Change Management Area:

i. A flood consequence assessment has been undertaken for the development and satisfactory risk mitigation has been identified;

ii. The dwelling will incorporate flood mitigation and resiliency measures in accordance with Community and Local Government (CLG) publication 'Improving the flood performance of new buildings: flood resilient construction';

iii. The building must be appropriately designed to withstand and be resilient to hydrostatic pressure resulting from a breach/ overtopping of the tidal defences;

iv. A flood warning and evacuation plan has been prepared for the property and is to be displayed on site.

The site is not within a flood risk zone.

9. Exceptionally, when a recently inhabited or habitable dwelling is destroyed by accident, planning permission may be granted for a new dwelling, in situ. Evidence about the status and previous condition of the building and the cause and extent of the damage must be provided.

The existing dwelling has not been destroyed.

(ii) Planning Policies PCYFF 2, PCYFF 3 and PCYFF 4

The Joint Local Development Plan (JLDP), Policy PCYFF 2 ensures that any proposed development does not have an adverse impact on the health, safety or amenity of occupiers of local residences, other land and property uses.

JLDP Policy PCYFF 3 ensures all proposals will be expected to demonstrate high quality design which fully takes into account the natural, historic and built environmental context and contributes to the creation of attractive, sustainable places. The proposals should complement or enhance the existing site and surrounding area.

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

As previously stated above the proposed replacement dwelling will be sited in a location which can be seen more from the public footpaths and roads together with its greater scale, modern design and material choices would harm the visual amenity of the site, would not enhance or complement the existing site or the surrounding area which is contrary to planning policy PCYFF 2 and PCYFF 3.

The application has proposed to retain existing trees and hedges on site together with planting new hedges along the new residential curtilage. **The existing and new vegetation on site do not provide sufficient landscaping to improve or help integration of the replacement dwelling on site which is contrary to planning policy PCYFF 4.**

(iii) Supplementary Planning Guidance – ‘Replacement dwellings and conversions in the countryside’ states:

The unit's original floor area should be considered when considering if the development's scale is similar to the original. Where justification has been received that would mean that the floor area would need to be larger than the original building, it is considered that this addition should be no larger than 20% of the floor area of the original unit. It is noted that this figure is a guide and not a target and every application will be assessed individually on its merit. It should be ensured that the addition in the floor area is essential in terms of practicality and should not be part of an aspiration for a larger house.

The applicant and agent has provided justification statements on why they believe the proposed works comply with JLDP Planning Policies and the Supplementary Planning Guidance. The need of the applicants for a larger more accommodating dwelling that can accommodate their family has been considered as part of this determination. **Unfortunately, the proposed developments scale is approximately 295% more than the existing dwelling which is considered to be aspirational more than essential together with the design and appearance being out of character with the area and**

having a negative visual impact on site the proposed development is contrary to the council's SPG.

Conclusion

The justification statements, design and access statements and cost comparisons appraisal do not justify the proposed development, together with the proposed developments siting, scale and design having a negative impact on the sites and surrounding area visual appearance the proposed development does not comply with the relevant planning policies and the councils supplementary planning guidance.

Recommendation

The application is refused for the following reasons:

(01) The demolition of the existing dwelling together with the erection of a replacement dwelling is contrary Policies TAI 13, PCYFF2, PCYFF3 and PCYFF4 of the Anglesey and Gwynedd Joint Local Development Plan and the Supplementary Planning Guidance: Replacement Dwellings and Conversions in the Countryside (2019) and Planning Policy Wales (11th edition).

(02) The proposed replacement dwellings siting, scale, design and appearance would not enhance the character or appearance of the site or the surrounding area and would therefore be contrary to Policies TAI 13, PCYFF2, PCYFF3 and PCYFF4 of the Anglesey and Gwynedd Joint Local Development Plan and the Supplementary Planning Guidance: Replacement Dwellings and Conversions in the Countryside (2019) and Planning Policy Wales (11th edition).

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Planning Committee: 07/02/2024

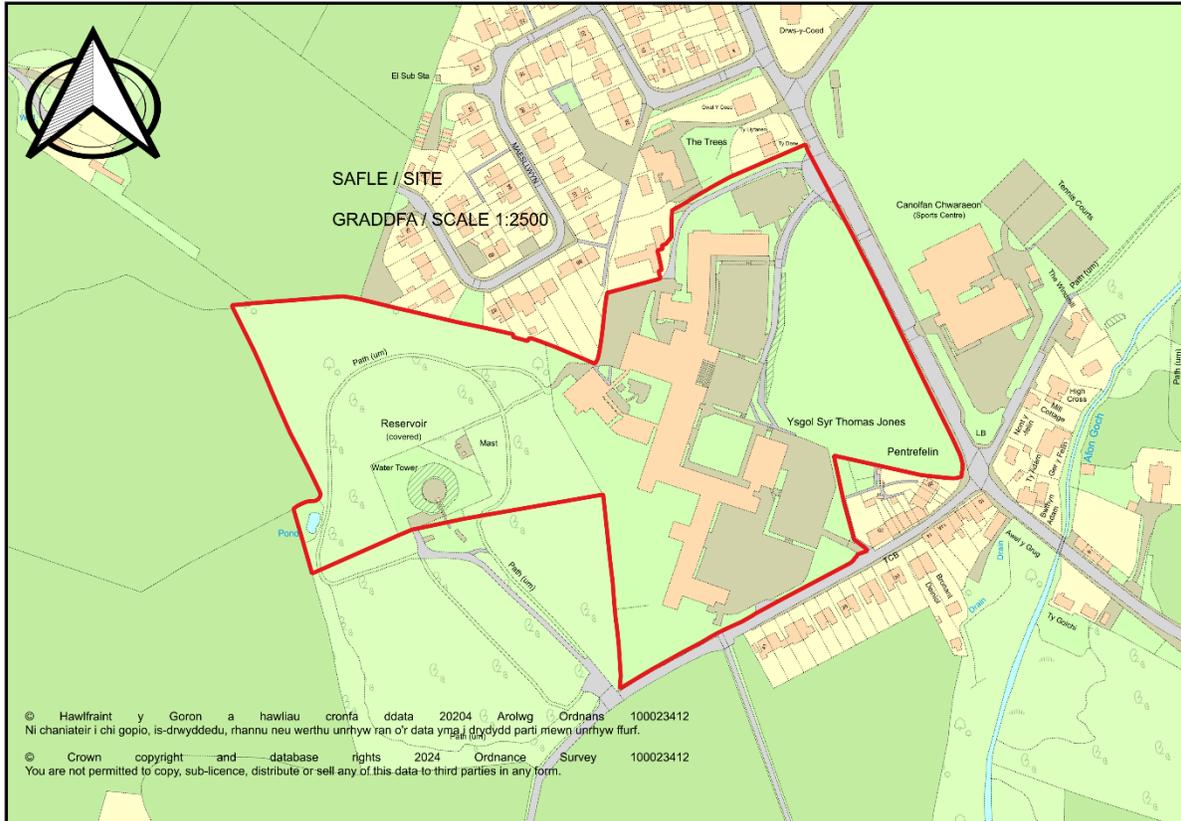
12.1

Application Reference: FPL/2023/349

Applicant: Ysgol Syr Thomas Jones

Description: Full application for a free-standing canopy with a roof over together with a bike shelter at

Site Address: Ysgol Syr Thomas Jones, Tanybryn Road, Amlwch.



Report of Head of Regulation and Economic Development Service (Cai Gruffydd)

Recommendation: Permit

Reason for Reporting to Committee

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

Proposal and Site

The application is made for a free-standing canopy with a roof over together with a bike shelter.

The application site is the listed Ysgol Syr Thomas Jones along Tanybryn Road, located within the development boundary of Amlwch, as defined in the JLDP.

Key Issues

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

Policies

Joint Local Development Plan

Policy PCYFF 2 – Development Criteria

Policy PCYFF 3 – Design and Place Shaping

Policy AMG 5: Local Biodiversity Conservation

Policy PS 20: Preserving and where Appropriate Enhancing Heritage Assets

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

Technical Advice Note 16: Sport, Recreation and Open Space

Planning Policy Wales (11th edition)

Response to Consultation and Publicity

Consultee	Response
Iechyd yr Amgylchedd / Environmental Health	No objections - informatives provided for the applicant.
Ymgynghorydd Treftadaeth / Heritage Advisor	The proposed visual impact of the proposed development in relation to the scale of the historic asset and its setting is considered to be low. The proposed development would not result in dominant features that would detract from the ability to understand and appreciate the historic asset. Additionally, the design of the proposed canopy and shelter have been carefully considered, being of slim posts and glazed roof, so as not to obscure the architectural detailing of the listed building. Both features are considered to be easily reversible without resulting in harm to the listed building. Consequently, there are no built heritage objections.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	No objections – satisfied with the requested biodiversity enhancements.
Cynghorydd Derek Owen	No response.
Cynghorydd Aled Morris Jones	No response.
Cynghorydd Liz Wood	No objections.
Cyngor Tref Amlwch Town Council	No response.

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties. A notice was also placed within the local newspaper due to the development being located within the curtilage of a listed building. The latest date for the receipt of any

representation was the 16/01/2024. At the time of writing this report, no letter of representation had been received at the department.

Relevant Planning History

11LPA101G/CC – No information available.

11LPA101H/CC – No information available.

11LPA101K/CC – Extensions comprising of 2 art rooms, pottery room and stores with link corridor at Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 30/07/1986.

11LPA101M/CC – Gosod dysgl i ddibenion addysg yn / Installation of satellite dish in school for educational purposes at Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 05/09/1990.

11LPA101N/LB/CC – Caniatad Adeilad Rhestredig ar gyfer adnewyddu yr labordy gwyddoniaeth yn / Listed Building Consent for the refurbishment of the science laboratory at Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Dychwelwyd i'r Ymgeisydd / Returned to Applicant - 24/05/2002.

11LPA101P/LB/CC – Caniatad Adeilad Rhestredig er mwyn defnyddio rhan o storfa fel toiled ir anabl yn / Listed Building Consent for the use of part of store room as disabled W.C. at Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Dychwelwyd i'r Ymgeisydd / Returned to Applicant - 24/05/2002.

11LPA101W/LB/CC – Caniatad Adeilad Rhestredig ar gyfer ailwampio ystafelloedd newid y gampfa yn / Listed Building Consent for the refurbishment of the gym changing rooms at Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 24/10/2006.

11LPA101Y/LB/CC – Cais Adeilad Rhestredig ar gyfer gwaith mewnol ac allanol yn / Application for Listed Building Consent for internal and external works at Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 11/08/2008.

11LPA101A/1/LB/CC – Cais am ganiatad adeilad rhestredig ar gyfer ail-wampio'r ystafell economeg y cartref yn / Application for listed building consent for the refurbishment of the home economics room at Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 11/08/2008.

11LPA101D/1/CC – Newidiadau allanol a mewnol yn / External and internal alterations to Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 14/08/2009.

11LPA101E/1/LB/CC – Caniatad Adeilad Rhestredig ar gyfer newidiadau allanol a mewnol yn / Listed Building Consent for external and internal alterations to Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 15/10/2009.

11LPA101F/1/LB/CC – Caniatad Adeilad Rhestredig ar gyfer gwaith mewnol i / Listed Building Consent for internal works to Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 16/06/2010.

11LPA101G/1/LB/CC – Caniatad Adeilad Rhestredig ar gyfer newidiadau mewnol yn / Listed Building Consent for internal alterations to Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 16/06/2010.

11LPA101H/1/LB/CC – Caniatad Adeilad Rhestredig ar gyfer gwaith i uwchraddio'r system gwresogi yn / Listed Building Consent for works to up-grade the existing heating system at Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 11/10/2012.

11LPA101J/1/LB/CC – Caniatâd Adeilad Rhestredig ar gyfer gwaith adnewyddu mewnol yn y prif doiledau ar gyfer y bechgyn gan gynnwys ciwbiclau, troethfeydd, systemau IPS ac unedau ymolchi newydd ynghyd â lwfrau allanol a griliau awyriant mewnol newydd i orchuddion y ffenestri yn y to yn / Listed 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, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 18/07/2014.

11LPA101K/1/LB – Caniatâd Adeilad Rhestredig ar gyfer llunio 4 hatsh mynediad yn y llawr gwaelod crog yn/Listed Building Consent for the formation of 4 no access hatches in the suspended ground floor at Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 02/11/2015.

11LPA101M/1/LB/CC – Caniatâd Adeilad Rhestredig ar gyfer gwaith yn/ Listed Building Consent for works at Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 19/09/2016.

11LPA101Z/LB/CC – Caniatâd Adeilad Rhestredig ar gyfer gwaith mewnol (peintio) yn / Listed Building Consent for internal works (painting) at Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 23/03/2017.

FPL/2023/108 – Cais llawn ar gyfer gosod amryw o ffensys 2.2 medr, 2.9 medr, a 3.2 medr o uchder, gyda giataiau i gydfynd yn / Full application for installing various fences measuring 2.2 meters, 2.9 meters, and 3.2 meters high fences, with matching gates at Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 08/06/2023.

LBC/2023/9 – 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 Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 27/07/2023.

FPL/2023/303 - Cais llawn ar gyfer gosod canopi awyr agored, 3 bwrdd tennis awyr agored, 2 bostyn pêl-fasged a gazebo ffrâm bren awyr agored yn / Full application for the installation of an outdoor canopy, 3 outdoor table tennis tables, 2 basketball posts and an outdoor timber frame gazebo at Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permit - 10/01/2024.

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, on any neighbouring properties or the listed building.

The application site is the listed Ysgol Syr Thomas Jones along Tanybryn Road, located within the development boundary of Amlwch, as defined in the JLDP.

The application is made for a free-standing canopy with a roof over together with a bike shelter. The canopy and bike shelter will be situated centrally on the school site along the front elevation of the school next to where the reception is located. The development will provide a safe space for pupils of the school, as well as enabling pupils to use cycling as a mode of transportation to school.

The free-standing canopy will measure 3.3 meters x 15 meters. It will measure 3.2 meters in height to the lowest point of the roof and will measure 3.8 meters in height to the highest point of the roof.

The bike shelter will measure 4.1 meters x 2.3 meters, and it will measure 2.6 meters in height to the roof. A cycle stand will also be placed underneath the shelter.

Policy PCYFF3 states that the proposal must be expected to demonstrate a high quality design and should complement and enhance the character and appearance of the site. The siting is considered acceptable given that the proposed development is situated far enough away from the public road. In addition, the design and appearance is considered acceptable given the design is using high quality materials. The scale of the development is considered acceptable given that the scale does not have a negative visual impact on the surrounding area or the listed building. Furthermore, effective biodiversity enhancements have been introduced on the site.

The site is well surrounded and screened by a plethora of trees and hedges, greatly reducing the visual impact from nearby properties. As the development is situated centrally on the school site, it is considered that this proposal will have no greater impact on the privacy and amenity of neighbouring properties. No objections were received for this proposal. Given the previous use of this land, and the site history of associated noise, especially during school hours, this proposal is not considered to impact the neighbouring properties to such a degree to warrant a refusal. It is considered that neighbouring properties will not be affected by this proposal, and that the proposal complies with Policy PCYFF 2.

Strategic Policy PS 20 recognises the importance, where appropriate, of protecting the setting of a heritage asset. Considerable damage can be done to the architectural or historic interest of an asset if the development is insensitive in design, scale or positioning. The proposed visual impact of the proposed development in relation to the scale of the historic asset and its setting is considered to be low. The proposed development would not result in dominant features that would detract from the ability to understand and appreciate the historic asset. Additionally, the design of the proposed canopy and shelter have been carefully considered, being of slim posts and glazed roof, so as not to obscure the architectural detailing of the listed building. Both features are considered to be easily reversible without resulting in harm to the listed building. Consequently, there are no built heritage objections.

The updated advice in Chapter 6 of Planning Policy Wales (PPW) is to apply a step-wise approach to maintain and enhance biodiversity, build resilient ecological networks, and deliver net benefits for biodiversity. The first priority is to avoid damage to biodiversity in its widest sense and ecosystem functioning. Where there may be harmful environmental effects, planning authorities will need to be satisfied that any reasonable alternative sites (including alternative siting and design options) that would result in less harm, no harm or benefit have been fully considered.

In accordance with the requirements of Policy AMG5 of the Joint Local Development Plan, Chapter 6 of the Environment Wales Act and the latest advice in PPW, two Bird Boxes as stated on drawing 'AL/15081/02A – Proposed site plan', will be installed on a nearby mature tree on the Western boundary of the site. The agent provided a Green Infrastructure Statement highlighting the above information, and also clarified that no trees, shrubs, or hedges will be damaged or removed as part of the proposed works.

Conclusion

The proposed development demonstrates high quality design and complements and enhances the character and appearance of the site. This proposal is considered a small scale development that will provide a safe space for pupils of the school, as well as enabling pupils to use cycling as a mode of transportation to school. It is not considered that the proposed development will adversely impact the character of the listed building or the surrounding area. The proposal is not considered to have a negative impact upon the amenity of adjacent residential properties due to effective screening along the site boundaries, and the proposed works is situated centrally on the site which is far enough away from any residential properties. The proposal also offers biodiversity enhancements in accordance with the requirements in the updated advice in Chapter 6 of the Environment (Wales) Act of Planning Policy Wales (PPW), and relevant Development Plan polices. It is considered that the overall design for the proposed scheme 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 no later than five years from the date of this decision.

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

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

- AL/15081/01 – Location plan.
- AL/15081/02A – Proposed site plan.
- BOA/CFSG-01A – Proposed block plan.
- SYR2527-001 Issue A – Bike shelter general view.
- SYR2527-002 Issue A – Bike shelter exploded view.
- SYR2527-003 Issue A – Bike shelter floor plan.
- SYR2527-004 Issue A – Bike shelter setting out plan.
- SYR2527-005 Issue A – Bike shelter front elevation.
- SYR2527-006 Issue A – Bike shelter side elevation.
- SYR2527-001A Issue A3 – Canopy general view.
- SYR2527-002A Issue A3 – Canopy floor plan.
- SYR2527-002B Issue A3 – Canopy setting out plan.
- SYR2527-003A Issue A3 – Canopy elevation A.
- SYR2527-003B Issue A3 – Canopy elevation B.
- SYR2527-004 Issue A3 – Canopy elevation C.
- 0001 – Proposed sections.
- Bike shelter specification.
- Canopy specification.
- Design and Access Statement.
- Heritage Impact Statement.

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

(03) Prior to the use of the development hereby approved, two Bird Boxes as stated on drawing 'AL/15081/02A – Proposed site plan', shall be installed on a nearby mature tree on the Western boundary of the site at least 3 meters above the ground prior to work commencing on site, and shall be retained as such for the lifetime of the development hereby approved.

Reason: To help conserve and safeguard biodiversity.

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

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

Application Reference: FPL/2023/343

Applicant: Mr Stan Johnson

Description: Retrospective application for the extension to the existing decking at

Site Address: Golden Sunset Caravan Park, Benllech



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

Recommendation: Permit

Reason for Reporting to Committee

The application has been called into the Planning and Orders Committee at the request of Councillor Margaret Murley Roberts, due to health and safety concerns, specifically that gas bottles are too close to oil tanks of neighbouring properties, and due to issues of lack of compliance with conditions.

Proposal and Site

The application site is an existing static caravan on the Golden Sunset Caravan Site in Benllech. The caravan subject to this application is located adjacent to the boundary with the neighbouring property Bryn Mor.

The application presented is a retrospective application for the extension to the existing decking.

Key Issues

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

Policies

Joint Local Development Plan

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

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

Planning Policy Wales (Edition 11, February 2021)

Technical Advice Note 12: Design (2016)

Welsh Government Circular (WGC) 016/2014: The Use of Planning Conditions for Development Management (October 2014)

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Euryn Morris	No response at the time of writing the report.
Cynghorydd Ieuan Williams	No response at the time of writing the report.
Cynghorydd Margaret Murley Roberts	Called the application into the planning committee due to health and safety concerns, specifically that gas bottles are too close to oil tanks of neighbouring properties, and due to issues of lack of compliance with conditions.
Cyngor Cymuned Llanfair Mathafarn Eithaf Community Council	No response at the time of writing the report.
Iechyd yr Amgylchedd / Environmental Health	A site visit was carried out by an environmental health officer and the fire officer. Both were happy that the LPG cylinders by the caravan were suitably secure and a sufficient distance of 5 metres away from the boundary of the neighbouring property.

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of any representation was the 03/01/2024. At the time of writing this report, one letter of objection had been received at the department.

The main comments raised were:

- The structures subject to this retrospective application are built on the neighbouring property boundary and present a fire risk to existing dwellings due to short separation distances.
- Public protection concerns surrounding the caravan subject to this application and two further caravans along the boundary need attention.
- Units on the caravan site are closely packed, creating a fire hazard.

- A full fire safety and public safety inspection should be carried out along the site boundary to ensure adequate measures are in place to ensure public safety for the occupants on both sides.
- A copy of the caravan site license has been requested, but not received.

In response to these comments:

- This application involves an extension to the existing decking, which has previously been granted planning permission. The decking extension is located on the northern elevation, further away from the neighbouring property.
- An environmental health officer and the fire officer have conducted a site visit and had no concerns regarding the caravan subject to this application. A copy of the comments received has been forwarded to the environmental health officer. Any further concerns regarding the caravan or the wider site should be raised with the public protection department.
- The issue relating to the caravan site license should be raised with the licensing department.

Relevant Planning History

30C336E - Full application for the erection of wooden decking at Site 8, Field 6, Golden Sunset Caravan Park, Benllech. Approved 27/10/2016.

Main Planning Considerations

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

Proposal and Site

The application site is an existing static caravan on the Golden Sunset Caravan Site in Benllech. The caravan subject to this application is located adjacent to the boundary with the neighbouring property Bryn Mor. The application presented is a retrospective application for the extension to the existing decking, which has been submitted following an enforcement investigation.

Paragraph 14.2.2 of the Welsh Government Development Management Manual states that 'Although it is not a criminal offence to carry out development without first obtaining any necessary planning permission, such action is to be discouraged. The fact that enforcement action is discretionary and should be used as a last resort and only when it is expedient, should not be taken as condoning the wilful breach of planning controls. Powers are available to local planning authorities to bring unauthorised development under planning control, and it is for them to decide which power, or combination of powers, to use.'

Paragraph 14.2.3 states: 'When considering enforcement action, the decisive issue for the local planning authority should be whether the unauthorised development would unacceptably affect public amenity or the existing use of land and buildings meriting protection in the public interest. Enforcement action should be commensurate with the breach of planning control to which it relates; it is usually inappropriate to take formal enforcement action against a trivial or technical breach of planning control which causes no harm to public amenity. The intention should be to remedy the effects of the breach of planning control, not to punish the person(s) carrying out the breach. Nor should enforcement action be taken simply to regularise development for which permission had not been sought, but which is otherwise acceptable.'

The applications' main issues are:

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

i. Siting and Design

The application relates to an existing static caravan on the Golden Sunset Caravan Site in Benllech. Planning permission was granted in October 2016, under application reference 30C336E, for the erection

of a decking. This decking measures approximately 12.6m in length and 5.3m wide, extending 3m beyond the front of the caravan. There is currently a bamboo privacy screen in place on the southern edge of the decking, to prevent overlooking towards neighbouring property Bryn Mor. A Breach of Condition Notice was served on the previous owner of the caravan for failing to keep the screen in place as required by condition (01) of 30C336E.

The decking has been extended on its northern side, into the caravans' plot, further away from the boundary with the neighbouring property. It is a small-scale extension to the decking, extending 2m beyond the northern side and 4.6m rearwards from the front. Its height matches the existing decking, as does the glass balustrade on the front and timber rails on the side.

It is considered that the decking extension has been built to a high-quality and is in keeping with the decking erected on other caravans on the site. Given the use of the site, it is not considered that the proposal would have any negative impacts on the landscape. The proposal is considered to comply with policy PCYFF 3 as it respects the context of the site and its place within the local landscape, utilising materials appropriate to its surroundings.

ii. Impact on Adjacent Residential Properties

The caravan subject to this application is located in close proximity to the boundary with neighbouring property Bryn Mor to the south. The existing decking has a bamboo privacy screen, conditioned to be in place during the caravan site's opening season, between the 1st of March and the 31st of October each year, to prevent overlooking from the decking towards the neighbouring property.

The extension to the decking is on the northern side, furthest away from the boundary, which is considered to have no greater impact on the privacy and amenities of the neighbouring property, complying with policy PCYFF 2. The boundary between the caravan and neighbouring property Bryn Mor features a hit and miss timber fence and a high hedge, preventing any overlooking into their rear garden.

Condition (02) of this permission will require a 1.8m high obscured glazed panel, or other suitable screen approved by the Local Planning Authority, to be erected along the southern side of the decking. Once installed, the panel shall be retained in perpetuity. This will replace the existing bamboo privacy screen, which is required for 8 months of the year, with a permanent structure, which will ensure no overlooking, protecting the privacy and amenities of the occupiers of Bryn Mor.

iii. Health and Safety

Concerns have been raised regarding the proximity of the application caravan, together with two other caravans not part of this application, to the southern boundary with neighbouring properties. An environmental health officer and the fire officer have visited the application caravan, confirming that the LPG cylinders by the caravan were suitably secure and a sufficient distance of 5 metres away from the boundary of the neighbouring property.

This application is dealing with a small-scale extension to the decking. The other issues raised lie outside the scope of this application and should be brought to the attention of the relevant departments within the Council. The matters raised during the consultation period have been forwarded to the attention of the relevant departments.

Conclusion

This application concerns a small-scale extension to the existing decking, which has been submitted following the intervention of the planning enforcement department. It has been built to a high quality, integrating into the site and its surroundings with appropriate materials. It has been built on the northern edge of the existing decking, further away from the neighbouring property, ensuring no greater impact on their privacy and amenities. A planning condition will ensure that a permanent screen is erected on the

southern side of the decking, to prevent any overlooking towards the neighbouring property. The proposed scheme is considered acceptable and complies with the relevant policies of the JLDP.

Recommendation

That the application is permitted subject to the following conditions:

(01) The development hereby permitted shall be carried out in strict conformity with the details shown on the 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 1 - Existing & proposed front and side elevations - received with planning application FPL/2023/343.
- Drawing number 2 - Existing & proposed rear elevation and floor plans - received with planning application FPL/2023/343.

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

(02) Within three months of the date of this permission a 1.8 metres high obscured glazed panel or other suitable screen approved by the local planning authority shall be erected from point A – B as highlighted in red on the attached plan (drawing number 2 – existing & proposed plans – received with planning application FPL/2023/343). Once installed, the panel shall be retained in perpetuity unless otherwise agreed in writing with the local planning authority beforehand.

Reason: In the interest of amenity.

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

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

Application Reference: FPL/2023/176

Applicant: Mr Amarjit Shoker

Description: Full application for the demolition of 2 outbuildings together with the erection of 2 affordable dwellings, 4 open market dwellings with the creation of a new vehicular access on land rear to

Site Address: Post Office, Holyhead Road, Gwalchmai.



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

Recommendation: Permit

Reason for Reporting to Committee

The application is reported to the planning committee at the request of Councillor Neville Evans amid concern in regards to the new access onto the A5 and the ability of the public sewerage network to accommodate additional flows.

Proposal and Site

The site is located in the settlement of Gwalchmai, with access afforded to the site via the A5 highway. The site is set back from the highway and is located to the rear of a row of residential properties. The application site itself currently forms part of the residential curtilage of a property and is a significantly

lower elevation than the highway. The main application site is relatively level and does not include any major gradient changes. Residential development surrounds the site, with the exception of the post office/convenience store located to the North. The boundaries of the site are defined by a mix of walling, including block, timber and stone. Several mature trees also form the boundary to the South and East. The application site also includes a number of single storey outbuilding type structures which are in a poor state of repair.

The application is made for the demolition of the existing outbuildings together with the erection of 4 open market dwellings, 2 affordable dwellings and creation of a new access and internal access road. The dwellings will be of typical design for the area, including pitched slate roofs with rendered walls and areas of cedar cladding. The dwellings will be orientated in a linear fashion across the rear of the site, with the associated curtilages backing onto the curtilages of the adjacent properties. The foul water flows generated by the scheme will be disposed of into the public sewerage network, whilst surface water will be received by a SuDS scheme.

Key Issues

The key issues of the scheme are its compliance with the relevant policies of the Joint Local Development Plan along with the acceptability of other material considerations such as:

- Highways
- Housing
- Drainage
- Ecology
- Design
- Impact upon residential amenity
- Representations by the public
- Welsh Language

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 TAI 3: Housing in Service Villages
Policy TAI 8: Appropriate Housing Mix
Policy TAI 15: Affordable Housing Threshold & Distribution
Strategic Policy PS 1: Welsh Language and Culture

Supplementary Planning Guidance - Planning and the Welsh Language (2007)

Strategic Policy PS 4: Sustainable Transport, Development and Accessibility
Strategic Policy PS 5: Sustainable Development

Policy AMG 1: Area of Outstanding Natural Beauty Management Plans

Technical Advice Note 12: Design (2016)

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

Strategic Policy PS 16: Housing Provision

Supplementary Planning Guidance - Affordable Housing (2004)

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Neville Evans	Called to committee over concerns regarding access and foul drainage.
Cynghorydd Douglas Massie Fowlie	Concerns regarding drainage, trees and validity of information in Housing Needs Assessment.
Cyngor Cymuned Trewalchmai Community Council	Concern regarding access, traffic, affordability of dwellings and drainage.
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objection.
Polisi Cynllunio / Planning Policy	Outline of applicable policies provided.
Strategol Tai / Housing Strategy	No objection.
Dwr Cymru Welsh Water	Condition regarding sewer diversion.
Gwasanaeth Addysg / Education Service	No contribution required.
Iechyd yr Amgylchedd / Environmental Health	Standard informatives regarding environmental protection.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Satisfied with ecological measures proposed.
Prifffyrdd a Trafnidiaeth / Highways and Transportation	Satisfied with access and parking provision. Suggested conditions in regards to access, parking and estate road.
Draenio / Drainage	SuDS application required.

Publicity was afforded to the scheme via the posting of personal letters to occupiers of neighbouring properties. At the time of writing this report, 29 letters of objection had been received over the course of 3 separate publicity periods. The issues raised in these letters will be addressed later in the report.

Relevant Planning History

FPL/2022/210 - Full application for the demolition of 2 outbuildings together with the erection of 2 affordable dwellings, 4 open market dwellings with the creation of a new vehicular access on land rear to Post Office, Holyhead Road, Gwalchmai - Withdrawn

Main Planning Considerations

Principle of Development

Gwalchmai is identified as a Service Village under the provisions of the Joint Local Development Plan and as such new housing in the settlement is considered under policy TAI 3. TAI 3 supports the creation of new residential units in Service Villages subject to capacity within the indicative provision level of housing. The indicative provision for Gwalchmai over the Plan period is 40 units. In the period 2011 to 2022 a total of 19 units have been completed in Gwalchmai, all on windfall sites. The total land bank in April 2019, was 4 units all on windfall sites. This means that the development would exceed the indicative provision on windfall sites in Gwalchmai.

The Plan's Monitoring Framework will consider the number of units completed annually in order to determine if the Plan will achieve its overall housing requirement. The annual monitoring will also allow

the Council to determine what type of sites will supply housing, i.e. allocations or windfall sites. The focus will be on the units completed rather than permissions. As well as this, the Monitoring Framework will try to assess if the Plan's Settlement Strategy is being achieved. Policy PS 17 states that 25% of its housing growth will be located within Villages, Clusters & Open Countryside. This indicator looks at housing consents. The indicative growth level for Villages, Clusters & Open Countryside is 1,953 units. 1,422 units were completed between 2011 and 2021 in all Villages, Clusters & Open Countryside and that 708 units were in the land bank. This data reflects the fact that the Plan inherited a number of planning consents that had been given by the Local Planning Authorities having regard to the previous development plans and material planning considerations. Some of these consents would align with the adopted JLDP. As there is capacity in the overall category for service villages, this development may still be supported.

However, as the settlement will see its expected level of growth on sites through units completed in the period 2011 to 2022 this application will need to be justified outlining how the proposed development is addressing the needs of the local community. The housing department provided figures to the LPA of waiting lists for housing, with the data showing there was substantial demand for 2 and 3 bed dwellings in the Gwalchmai area. As the development consists purely of 2 and 3 bed dwellings, the LPA are satisfied that the development is justified and corresponds with local housing needs. In addition to this, it is also required that a Welsh Language Impact Assessment is provided as the settlement will exceed its indicative provision level. A WLIA has been received and will be considered later in this report under the relevant heading. Due to the above, the planning department are satisfied the scheme is in accordance with policy TAI 8 and thus the principle of housing is acceptable.

Housing Mix

In accordance with policy TAI 8 of the JLDP, all developments of 5 or more residential units are required to be accompanied by a housing mix statement. TAI 8 seeks to ensure that all new residential developments contribute to improving the balance of housing and meets the identified needs of the whole community. A Housing Needs Assessment was provided as part of the application which demonstrated how the developer had considered the needs of the community by giving regards to a range of housing needs lists and ultimately shaped the development. In consideration of the findings of the HNA and the data provided by the Housing department, the LPA are satisfied the scheme proposes a suitable housing mix and thus is in conformity with policy TAI 8.

Affordable Housing

Policy TAI 15 seeks to secure an appropriate provision of affordable housing on all development of 2 or more units within Service Villages such as Gwalchmai. Since the proposed development proposes an increase of 6 units, this meets with the threshold noted in Policy TAI 15 for making an affordable housing contribution. As Gwalchmai is situated within the 'Rural West' housing price area in the Plan, it is noted that providing 20% of affordable housing is viable. As 2 units a proposed to be affordable dwellings the proposal therefore conforms with the requirements of Policy TAI 15.

Highways

Highways matters were one of the principle issues raised by several parties including members of public, Local Members and the Community Council. The new access of the scheme is proposed to lead out onto the A5 highway running through the village and would be constructed with 2.4x45m visibility splays. The Highways department were satisfied with the proposed visibility and expressed no concerns. The highways department with also satisfied with the on site parking provision and confirmed that it was in conformity with the Local Authority Parking Standards. Subsequently, the LPA do not consider that are any sufficiently material highway grounds to refuse the scheme.

Drainage

Concern was also raised by the above mentioned parties in regards to the ability of the foul sewer network to accommodate the flows generated by the development. Dwr Cymru as the sewerage

undertaker were consulted in regards to the scheme and raised no concern in regards to the capacity of the network. Dwr Cymru did however have concerns in regards to the proximity of the scheme to the public sewer. Dwr Cymru were satisfied for the application to be approved subject to the imposition of a condition requiring the submission of a public sewer diversion scheme. It is therefore not considered that there are grounds to refuse the application on the basis of drainage issues.

Welsh Language

As mentioned earlier in the report, the application was required to be accompanied by a Welsh Language Impact Assessment by virtue of exceeding the settlements indicative housing provision. A WLIA was submitted as part of the scheme and was assessed by the Councils Welsh Language and Policy Manager. Having assessed the document, it was concluded that the document follows the methodology of the relevant supplementary planning guide, Maintaining and creating distinctive and sustainable communities, and is reasonable. It was additionally stated by the Welsh Language and Policy Manager that on the basis that the proposal is relatively small, meets local demand for housing and for affordable or low-cost units, it is agreed that the impact recognised by the assessment is a fair interpretation of the potential impact on the Welsh language. Subsequently it is considered that the scheme is in accordance with policy PS 1 of the JLDP.

Ecology

In line with policy AMG 5 of the JLDP and the Councils Duty stemming from The Environment Act Wales (2016), all proposals are expected to demonstrate a net gain to biodiversity. The scheme was accompanied by an Ecological survey which identified the ecological value and features of the site, which thereafter formed a baseline ecological value to recommend appropriate methods of attaining the required net gain. The scheme included the provision of a landscaping scheme, along with the installation of nature boxes on the dwellings themselves. These measures were considered acceptable by the Ecology officer and subsequently the LPA are satisfied that the ecological obligations have been met.

Design

Policy PCYFF 3 of the JLDP is the principle policy consideration in terms of design. The main thrust of PCYFF 3 is to ensure proposals are of a high quality design which complement and enhance the appearance of a site and its surrounding area. Having visited the site, it is not considered there is a set pattern of development to the area, however it was noted that there is somewhat of a design precedent in two storey pitched roof dwellings, with slate and render locally prevalent materials. In light of this, it is considered the scheme is appropriately designed and scaled by virtue of following local design precedents. The scheme will include areas of cedar cladding, which is not a material currently in existence in the area, however is considered that the cladding will contribute to enhancing the appearance of the site by generating visual interest. The site is set back and at a lower level than the highway and therefore the scheme would not be visually prominent in the street scene.

Development located to the rear of existing housing may often be considered as what was referred to as tandem/backlands development, however it is noted that these terms are no longer part of Planning Policy Wales and instead attention is drawn to the general pattern of development. Having visited the site, it was observed that there was a recently erected dwelling on an adjoining plot and as such the scheme would not contravene any existing patterns of development in the area. Due to the above, the department are satisfied that the scheme is acceptably designed and conforms with policy PCYFF 3.

Impact upon residential amenity

The location of the site is a dense residential area requires close scrutiny to any potential impacts the scheme may have upon residential amenity. PCYFF 2 of the JLDP provides a policy starting point in considering residential amenity, stating that proposals will be refused where they would have an unacceptable negative impact upon residential amenity. The dwellings will be arranged in a linear fashion running east to west on the site, with the rear of the properties facing to the south. The southern boundary

of the site is shared with the residential curtilage of a single property, which is located 22m away from the nearest dwelling on the application site and 30m away from the furthest. These distances exceed the maximum distance of 21m noted in the SPG Design Guide and as such it is not considered that the LPA could implicate that the scheme would result in any overlooking or overbearing to an extent that would warrant refusal. To the east, a new dwelling is located at a distance of 11m away from the position of the proposed dwellings. The scheme has been designed so as no main or secondary windows are located in the gable looking towards this dwelling, with the only facing windows being a first floor landing window and a ground floor en suite window which will be obscure glazed. It is also noted that this boundary includes a 1.8m solid timber fence and that the neighbouring property includes a singular bathroom window only in the gable elevation. The LPA are satisfied that there will be no unacceptable negative impacts arising from this arrangement.

Representations by the Public

The following issues were raised by members of the public via letters of observation;

- Access is dangerous
- Proposal will lead to more on street parking
- Proposal will negatively effect Welsh Language
- Insufficient parking offered as part of scheme
- Scheme will result in loss of privacy and increase general noise and disturbance in the area.
- No capacity in foul sewer network to accommodate development

In response to these comments, the department would make the following observations;

- The Highway department has no concerns in regards to the access and were satisfied with the achievable visibility in light of the 20mph speed limit.
- The parking provision on site is in accordance with the Local Authority Parking standards.
- The Welsh Language and Policy Manager had no concerns in regards to the scheme. The submission was accompanied by a Welsh Language Impact Assessment as is required by policy PS 1.
- The distance between the windows of the scheme and the neighbouring property exceeds the relevant distances noted in the SPG Design Guide and therefore it cannot be reasonably said that the scheme would result in the loss of privacy to an unacceptable level.
- The site is located in a village centre location near a busy highway and as such it is not considered that unacceptable noise and disturbance would be generated by the development.
- Dwr Cymru as the statutory undertaker of the public sewer had no concerns in regards to its capacity to accommodate the scheme. The site is crossed by the public sewer, however Dwr Cymru were happy for consent to be granted with a condition requiring a public sewer diversion scheme before the commencement of any works on site.

Conclusion

Having considered the scheme against all relevant policies and supplementary planning guidance, no reasons for refusal were encountered and no other material considerations were present that indicated a decision other than approval is justified. The scheme will make use of a suitable windfall site to deliver housing which is in demand by the local community as was demonstrated by the housing department figures. The LPA are therefore obliged to recommend approval of the scheme.

Recommendation

That the application is permitted subject to the following conditions:

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

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

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

- Location Plan / Drg 1. Rev C
- Proposed Site Plan / Drg 3. Rev E
- Existing & Proposed Site Cross Sections / Drg 8.
- Proposed Landscape Plan / Drg 9.
- Proposed Typical Dwelling (2 bed) / Drg 8. Rev A.
- Proposed Typical Dwelling (3 bed) / Drg 7. Rev B.
-

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

(03) The access shall be laid out and constructed strictly in accordance with the submitted plan before any dwellings are occupied and thereafter shall be retained and kept free from permanent obstruction and used only for access purposes.

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

(04) 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.

(05) The access shall be constructed with 2.4 metre by 45 metre splays on either side. Within the vision splay lines nothing exceeding 1 metre in height above the level of the adjoining carriageway shall be permitted at any time.

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.

(06) No development shall take place until a scheme to enable the provision of gigabit capable broadband infrastructure from the site boundary to the dwellings/buildings hereby permitted has been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To support the roll-out of digital communications infrastructure across Wales in accordance with Policy 13 of Future Wales.

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

Reason: In the interests of residential and visual amenity.

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

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

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

(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).

(09) The estate road(s) shall be completed to a base course finish with the surface water drainage system complete and fully operational before any work is commenced on the dwelling(s) which it serves.

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

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

(i) The routing to and from the site of construction vehicles, plant and deliveries.

(ii) The type size and weight of construction and delivery vehicles to be used in connection with the construction of the development, having regard to the geometry, width, alignment and structural condition of the highway network along the access route to the site;

(iii) The timing and frequency of construction and delivery vehicles to be used in connection with the development, having regard to minimising the effect on sensitive parts of the highway network and construction routes to the site, including regard for sensitive receptors e.g. schools and network constraints;

(v) Measures to minimise and mitigate the risk to road users in particular non-motorised users;

(vi) The arrangements to be made for on-site parking for personnel working on the Site and for visitors;

(vii) The arrangements for loading and unloading and the storage of plant and materials;

(viii) Details of measures to be implemented to prevent mud and debris from contaminating the adjacent highway network;

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

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

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

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

(12) No development shall take place until details of a scheme to divert the public sewer crossing the site has been submitted to and approved in writing by the local planning authority. The scheme shall include a detailed design, construction method statement and risk assessment outlining the measures taken to secure and protect the structural condition and ongoing access of the public sewer. No other development pursuant to this permission shall be carried out until

the approved diversion scheme has been implemented and completed. The approved scheme shall be adhered to throughout the lifetime of the development and the protection measures shall be retained in perpetuity.

Reason: To protect the integrity of the public sewerage system and avoid damage thereto.

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:

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/2023/67

Applicant: Mr Tony Hughes

Description: Application under Section 73 for the variation of condition (02) (to allow for minor amendments to the layout, design and an increase in height of the approved units) of planning permission reference FPL/2021/266 (Full application for the erection of 8 affordable residential apartments, construction of new vehicular access, construction of new road on site together with soft and hard landscaping) so as to allow to allow for minor amendments to the layout, design and an increase in height of the approved units on land at

Site Address: Garreglwyd Road, Holyhead.



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

Recommendation: Permit

Reason for Reporting to Committee

The application was called in to be determined by the Planning Committee at the request of Local Member Cllr. Trefor Lloyd Hughes amid local concern for highway safety, overdevelopment of the site and the developments appearance in the locality. In addition to this, the application is required to be reported to the planning committee as it seeks to vary a consent which was granted originally by the planning committee.

Proposal and Site

The site is located in the town of Holyhead and its associated development boundary. The site is located in a dense urban area, with Maes Cybi flanking the east of the site and other residential development on South stack and Carreglwyd Road defining the west and northern boundary. The remaining boundary is bound by Carreglwyd road itself, which also provides a means of access to the site. Unmaintained vegetation covers most of the site at present with several rocky outcrops located throughout the site. The gradient of the site follows that of Carreglwyd Road, with higher ground in the east gently sloping to the west.

This S73 application is made in order to vary the consent by means of an amended design and the raising of the site level approximately 700mm above what was previously granted.

Key Issues

The key issues of this application are whether or not the amended design is acceptable in its appearance together with the acceptability of the raised levels in the context of residential amenity.

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
Strategic Policy PS 1: Welsh Language and Culture
Strategic Policy PS 16: Housing Provision
Policy AMG 5: Local Biodiversity Conservation
Policy TAI 1: Housing in Sub-Regional Centre & Urban Service Centres
Policy TAI 15: Affordable Housing Threshold & Distribution
Policy TAI 8: Appropriate Housing Mix

Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)
Supplementary Planning Guidance - Affordable Housing (2004)
Supplementary Planning Guidance - Planning Obligations (Section 106 Agreements) (2008)

Strategic Policy PS 4: Sustainable Transport, Development and Accessibility
Strategic Policy PS 5: Sustainable Development

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Dafydd Rhys Thomas	No response.
Cynghorydd Keith Robert Roberts	No response.
Cynghorydd Trefor Lloyd Hughes	Called in to committee.
Cyngor Tref Caergybi / Holyhead Town Council	No response.
Iechyd yr Amgylchedd / Environmental Health	Standard informatives regarding pollution prevention, contaminated land and vibration.
Gwasanaeth Addysg / Education Service	No observations.

Dwr Cymru Welsh Water	No concerns with capacity of public sewerage system.
Strategol Tai / Housing Strategy	Satisfied with affordable housing provision.
Priffyrdd a Trafnidiaeth / Highways and Transportation	Satisfied with change from bellmouth to dropped kerb access.
Cyfoeth Naturiol Cymru / Natural Resources Wales	No comment.

Publicity was afforded to the scheme via the posting of personal letters to occupiers of neighbouring properties. At the time of writing this report, 7 letters of objection have been received at the department. Their contents will be addressed in the main body of the report.

Relevant Planning History

DIS/2023/36 - Application to discharge condition (03)(Construction Traffic Management Plan (CTMP)) and (04)(Construction Method Statement)of planning permission FPL/2021/266 on land adjacent to Garreglwyd Road, Holyhead Condition Discharged 15/06/2023

FPL/2021/42 - Full application for the erection of 8 affordable residential apartments, construction of new vehicular access, construction of new road on site together with soft and hard landscaping on land adjacent to Garreglwyd Road, Holyhead - Withdrawn

FPL/2021/266 - Full application for the erection of 8 affordable residential apartments, construction of new vehicular access, construction of new road on site together with soft and hard landscaping on land adjacent to Garreglwyd Road, Holyhead - Approved 20/01/2023

Main Planning Considerations

Design

Policy PCYFF 3 of the JLDP is the principle policy consideration in terms of design. The main thrust of PCYFF 3 is to ensure proposals are of a high quality design which complement and enhance the appearance of a site and its surrounding area. The S73 application seeks to amend the design primarily by altering the finishing materials from facing brick and render to two shades of render with small areas of timber cladding. The department welcome this change in materials as it is considered more sympathetic an in-keeping with the character of the area. In addition to this, the roof structure has been simplified so as there will be one ridge height. This will result in a more congruent appearance which is a betterment to the previous scheme and will better integrate into the built environment. Subsequently, the department are satisfied that the proposal in its amended form remains acceptable in terms of its design and conformity with PCYFF 3.

Residential Amenity

The scheme proposes to raise the finished levels by approximately 700mm from the previously granted scheme. This raising in finished levels was initially concerning to the planning department, however following receipt of amended cross sections demonstrating the new finished levels in relation to surround properties, it is not considered that the increase would cause a significant alteration to the consented arrangements in terms of overlooking, overbearing or loss of light. The building remains in the same footprint as what was granted and therefore this scheme remains in compliance with the distances noted in the SPG Design Guide. The finished levels of the previous scheme were of a comparable level to properties of Maes Cybi and therefore the raising of levels by a relatively small amount such as 700mm would not cause the development to become overbearing, overlooking or cause loss of light above and beyond what the planning committee considered acceptable on the original scheme. The internal layout and therefore the windows will remain in the same position as the original scheme. PCYFF 2 of the JLDP

states proposals would be refused where they would have an unacceptable negative impact upon residential amenity. The LPA do not consider that the increase in height would cause a negative impact sufficiently above and beyond the scheme granted by the committee to an extent that would be at odds with PCYFF 2.

Representations by the Public

At the time of writing this report, 7 letters of objection had been received which raised the following issues;

- Scheme will be overbearing upon residents of Maes Cybi and impact their privacy and cause loss of light.
- Scheme will lead to an increase in traffic which the local highway network will not be able to accommodate.
- Pecking will cause structural damage to homes on Maes Cybi.
- Local sewerage network cannot cope with additional flows.

In response to these points, the department would make the following observations;

- The department do not consider that an increase of 700mm would cause a impact which is significantly different to the scheme that was originally granted by the planning committee.
- This scheme does not propose an increase in the number of units on site and therefore highway matters are not for contention as part of this scheme.
- The issue of pecking was addressed as part of the full application. It is understood that all necessary pecking for this S73 application has now been completed. Should this application be approved by the committee, no further pecking will take place.
- This scheme does not propose an increase in the number of units on site and therefore foul drainage matters are not for contention as part of this scheme. Despite this, the issue of sewerage capacity has been raised with Dwr Cymru and they have confirmed in writing to the LPA that they are satisfied that there is capacity.

Conclusion

The principle of the development has been established under the previous consent which has now been safeguarded in perpetuity by virtue of a material start having been made on site. This application is made purely to amend the design and raise the finished levels of the site. The amended design is considered a significant betterment in terms of its appearance and its ability to integrate into the built environment. The increase in finished levels by some 700mm did raise initial concern, however having received updated sectional drawings, it is considered that the increase is minimal and would not give rise to impacts upon residential amenity that would be above and beyond those associated with the previous permission granted by the committee to an extent that would warrant refusal. Subsequently, the department are obliged to recommend approval of this scheme.

Recommendation

That the application is permitted subject to the following conditions:

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

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

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

• **Site Sections / 030**

- Site Layout Plan / 003 Rev F
- Elevation Comparison - South / SK04 Rev A
- Proposed Elevations – Sheet 2 / 021 Rev C
- Proposed Plans / 010 Rev D
- Proposed Elevations – Sheet 1 / 020 Rev C
- Garreglwyd Road, Holyhead Ecological Impact Assessment for Mon Developers February 2020
Updated June 2021 3129/11
Site Location Plan / 001 Rev A

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

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

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

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

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

Condition (03) discharged under planning application DIS/2023/36

(04) No development shall commence, including any works of ground breaking or rock pecking, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i. the parking of vehicles of site operatives and visitors;**
- ii. loading and unloading of plant and materials;**
- iii. storage of plant and materials used in constructing the development;**
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;**
- v. wheel washing facilities;**
- vi. measures to control the emission of dust and dirt during ground breaking / rock pecking ;**
- vii. a scheme for recycling/disposing of waste resulting from ground breaking / rock pecking works;**
- delivery, demolition and construction working hours;**
- viii. details of all machinery being used including measures to control noise, vibration and pollution control impacts and mitigation**
- ix. the intended duration of the pecking and rock breaking works**

The approved Construction Method Statement shall be adhered to throughout the ground breaking / rock pecking and construction period for the development.

Reason: To protect the amenity of nearby occupants

Condition (04) discharged under planning application DIS/2023/36

(05) In the event of any contamination being found, a suitable Remediation Strategy should be prepared for the site. The Remediation Strategy shall be submitted and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the Remediation Strategy.

Reason; To safeguard the amenities of future occupants.

(06) Ground breaking / rock pecking or construction works shall not take place outside the hours of 08:00 to 18:00 Mondays to Fridays and 08:00 to 13:00 on Saturdays and at no time on Sundays or Public Holidays.

Reason: To protect the amenities of nearby residential occupiers.

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF 1, PCYFF 2, PCYFF 3, PCYFF 4, TAI 1, TAI 8, TAI 15, PS 16, PS 1, PS 4, PS 5, AMG 5, PS 19.

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.