

Rhif y Cais: 24C268E Application Number

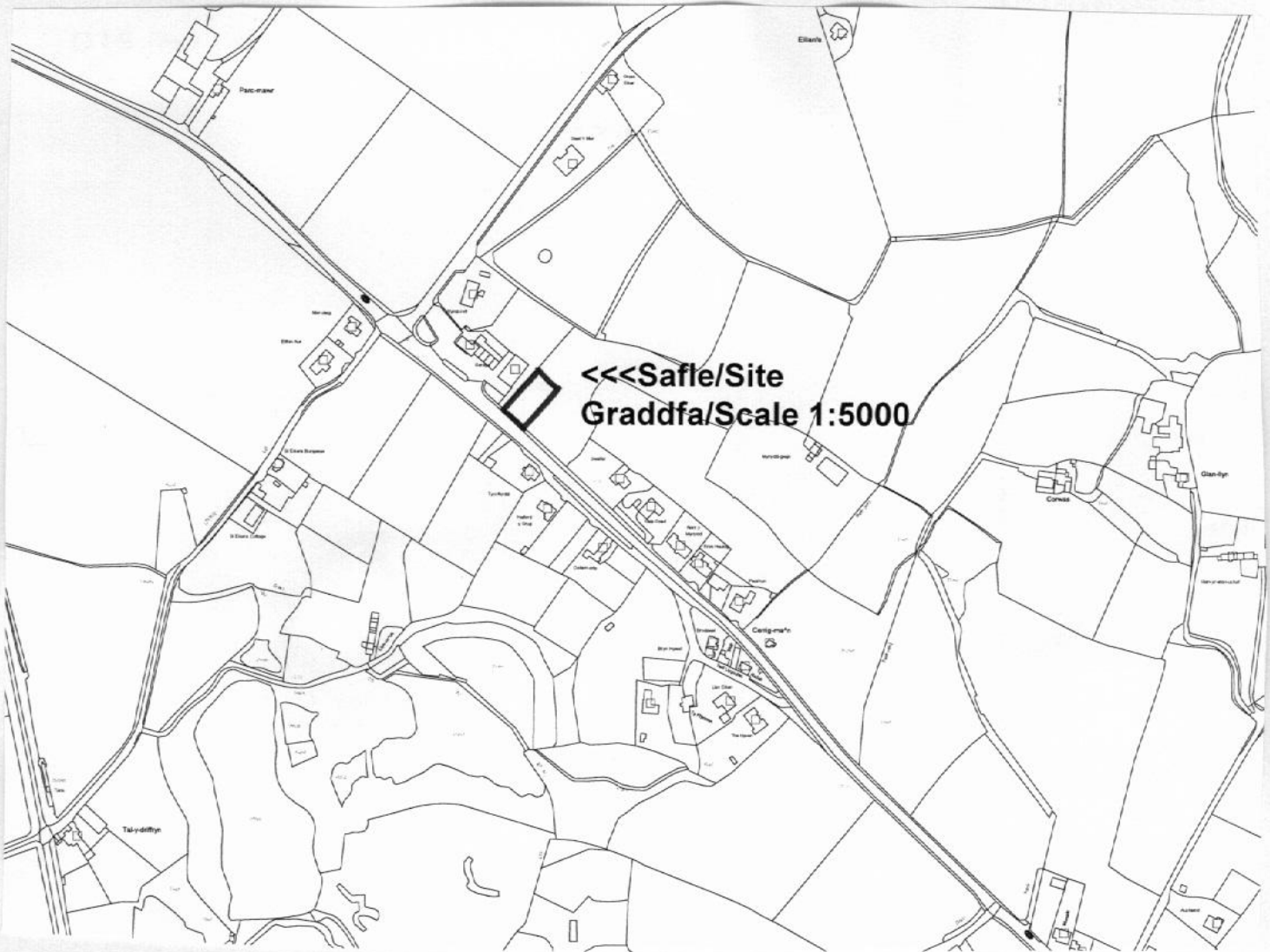
Ymgeisydd Applicant

**Mr & Mrs Geraint Jones
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Adnewyddu caniatad cynllunio 24V268B - cais amlinellol ar gyfer codi annedd ynghyd a creu mynedfa newydd ar plot 3 ar dir ger

Renewal of planning permission 24C268B - outline application for the erection of a dwelling together with the construction of a new access on plot 3 on land adjoining

Gwelfor, Cerrigman



Planning Committee: 05/12/2012

Report of Head of Planning Service (DPJ)

Recommendation:

Permit.

Reason for Reporting to Committee:

The application is a departure from the development plan which the local planning authority are minded to approve.

1. Proposal and Site

The application site is located centrally in Cerrigman, adjacent to the A5025.

This is an outline planning permission with the means of access included for consideration.

2. Key Issue(s)

Having regard to the provisions of section 38(6) of the Planning and Compulsory Purchase Act 2004 it is necessary for determination to be in accord with the development plan unless material considerations indicate otherwise.

3. Main Policies

Gwynedd Structure Plan

A6 - New Dwellings in the Countryside

Ynys Mon Local Plan

53 - Housing in the Countryside

Stopped Ynys Mon Unitary Development Plan

HP5 - Countryside Hamlets & Clusters

4. Response to Consultation and Publicity

Local Member - No response at the time of writing report

Community Council - No response at the time of writing report

Highways - Conditional permission.

Drainage - Comments

Welsh Water – No public sewers in the area.

Environment Agency - Comments

Response to Publicity

None received at time of writing report.

5. Relevant Planning History

24C268: Outline application for the erection of a dwelling together with the construction of a new vehicular access on land at Gwelfor, Cerrigman. Conditionally approved 03/09/08.

24C268A: Outline application for the erection of a dwelling, construction of a new vehicular access and installation of a private treatment plant on land adjacent to Gwelfor, Cerrigman. Conditionally approved 05.02.09

24C268B: Outline application for the erection of a dwelling together with the construction of a new access and installation of a new sewage treatment plant on land adjoining Gwelfor, Cerrigman. Conditionally approved 04.09.09.

24C268C: Renewal of outline planning permission ref 24C268 for the erection of a dwelling together with the construction of a new access on land adj Gwelfor Cerrigman – Granted – 14.11.11

24C268D Renewal of outline planning permission 24C268A for the erection of a dwelling together with the construction of a new access and installation of a private treatment plant Conditionally Approved 16.03.12.

6. Main Planning Considerations

Planning History

The planning application comprises a renewal of planning application 24C268B.

Planning History and Principle of Residential

Having regard to the provisions of section 38(6) of the 2004 and act, if regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise. The development plan for Anglesey comprises the approved Gwynedd Structure Plan (approved November 1993) and the adopted Ynys Môn Local Plan (adopted December 1996).

The application site is located in the countryside under the provisions of the adopted Ynys Môn Local Plan (December 1996), and has thus been advertised as a departure from the development plan. This is due to Cerrigman not being listed under the provisions of policy 50 (Listed settlements) of this plan, which permits single dwellings within or on the edge of the listed villages and hamlets subject to the listed criteria being satisfied.

Cerrigman is included as a settlement under the provisions of policy HP5 of the Stopped Ynys Môn Unitary Development Plan. This policy permits single dwellings on infill and other acceptable sites subject to the listed criteria. The application site is also located within the indicative frame. In view of the advanced stage reached in the preparation of the Stopped Ynys Môn Unitary Development weight can be attributed to its provisions such as to outweigh the provisions of the development plan in this instance. The principle of the development is thus acceptable subject to detailed planning considerations.

Highways, Parking and Pedestrian Safety

The Highways Section are satisfied with the proposal subject to the conditions recommended.

7. Conclusion

The advanced stage reached in the preparation of the Stopped Ynys Môn Unitary Development Plan means that in this instance weight can be attributed such as to outweigh the provisions of the development plan and the proposal is recommended for approval.

8. Recommendation

Permit

(01) The development hereby permitted shall be begun not later than whichever is the later of the following dates:

- i) The expiration of five years from the date of this permission.**
- ii) The expiration of two years from the date of approval of the last of the reserved matters to be approved.**

Reason: To prevent the accumulation of planning permissions: to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92(2) of the Town and Country Planning Act 1990.

(02) Application for approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To prevent the accumulation of planning permissions: to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92(2) of the Town and Country Planning Act 1990.

(03) Approval of the details of the appearance to include floor plans, layout, scale and the landscaping of the site (hereafter called 'the reserved matters') shall be obtained in writing from the Local Planning Authority before the development is commenced.

Reason: The application is for outline planning permission.

(04) No development shall take place until trade descriptions of the materials proposed to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The approved materials shall be used in the implementation of the development.

Reason: To ensure a satisfactory appearance to the development.

(05) The development hereby permitted shall be roofed with natural Welsh heather blue, heather red or heather grey mineral slates, unless alternative natural mineral slates of equivalent colour, texture and weathering characteristics are approved in writing by the local planning authority.

Reason: To ensure a satisfactory appearance of the development.

(06) The details to be submitted for approval in writing by the Local Planning Authority in accordance with Condition (1) above shall include details of the proposed slab levels of the building(s) in relation to the existing and proposed levels of the site and the surrounding land. The building(s) shall be constructed with slabs at levels that have been approved in writing by the Local Planning Authority.

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

(07) Details to be submitted in accordance with Condition (02) above shall include means of disposal of foul and surface water from the development.

Reason: In order to ensure that the development is adequately drained.

(08) The details to be submitted for approval in writing by the Local Planning Authority in accordance with Condition (03) above shall include a scheme of landscaping and tree planting for the site. The approved scheme shall be implemented not later than the first planting season after the occupation of the buildings or completion of the development, whichever is the sooner.

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

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

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

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

Reason: To minimise danger and inconvenience to highway users.

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

Reason: To minimise danger and inconvenience to highway users.

(12) The access shall be completed with a concrete/asphaltic surface for the first 5 metres from the nearside edge of the County Highway with the surface water drainage system completed and in perfect working order before the use hereby permitted is commenced.

Reason: To minimise danger and inconvenience to highway users.

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

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.

(14) The car parking accommodation shall be completed in full accordance with the details as submitted before the use hereby permitted is commenced and thereafter retained solely for those purposes.

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

(15) Foul water and surface water discharges must be drained separately from the site.

Reason: To protect the integrity of the public sewerage system.

(16) No surface water shall be allowed to connect either directly or indirectly to the public sewerage

system unless otherwise approved in writing by the local planning authority.

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

(17) Land drainage run-off shall not be permitted to discharge either directly or indirectly into the public sewerage system.

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

(18) The details to be submitted for the approval in writing of the Local Planning Authority in accordance with Condition (03) above shall include a scheme for parking, garaging and manoeuvring and the loading and unloading of vehicles in accordance with the Local Planning Authority's "Car Parking Standards" 2008 (or any subsequent amendments). The approved scheme shall be implemented and made available for use before the development hereby permitted is occupied and that area shall not thereafter be used for any other purpose.

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

(19) The dwelling hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 and achieve a minimum of 1 credits under category 'Ene 1 – Dwelling Emission Rate' in accordance with the requirements of the Code for Sustainable Homes: Technical Guide 11th November 2010 (Version 3). The development shall be carried out entirely in accordance with the approved assessment and certification.

Reason: To mitigate the causes of climate change and ensure resilience against the predicted future climate changes.

(20) Construction of the dwelling hereby permitted shall not begin until an 'Interim Certificate' has been submitted to and approved in writing by the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credits under 'Ene 1 – Dwelling Emission Rate', has been achieved for the dwelling in accordance with the requirements of the Code for Sustainable Homes: Technical Guide 11th November 2010 (Version 3).

Reason: To mitigate the causes of climate change and ensure resilience against the predicted future climate changes.

(21) Prior to the occupation of the dwelling hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to and approved in writing by the Local Planning Authority certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 1 credits under 'Ene 1 – Dwelling Emission Rate', has been achieved for the dwelling in accordance with requirements of the Code for Sustainable Homes: Technical Guide 11th November 2010 (Version 3).

Reason: To mitigate the causes of climate change and ensure resilience against the predicted future climate changes.

9. Other Relevant Policies

Gwynedd Structure Plan

A2 - Housing Land

D3 - Landscape Conservation Area

D28 - Natural Mineral Slate
D29 - Design
FF11 - Traffic
FF12 - Parking Standards

Ynys Mon Local Plan

1 - General Policy
26 - Parking
31 - Landscape
42 - Design
48 - Housing Development Criteria

Stopped Ynys Môn Unitary Development Plan

GP1 - Development Control Guidance
GP2 - Design
TR10 - Parking Standards
EN1 - Landscape Character

Planning Policy Wales (Edition 5)

SGP: Parking Standards (2008)

SPG: Design Guide (2008)