

Application Reference: VAR/2020/57

Applicant: Lisa Fowlie

Description: Application under Section 73A for the variation of condition (06)(Drainage details), condition (09) (Structural Alterations) and condition (10) (Development to be carried out in strict conformity to plans/documents received) of planning permission reference 28C202C Full application for the conversion of a stable into a dwelling, creation of a new vehicular access together with the installation of a septic tank so as to provide drainage information after commencement of works, and amendments to plans previously approved at

Site Address: Ty Newydd Bach, Llanfaelog, Ty Croes



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

Recommendation: Permit

Reason for Reporting to Committee

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

Proposal and Site

The proposal is a Section 73A application for the variation of condition (06)(Drainage details), condition (09) (Structural Alterations) and condition (10) (Development to be carried out in strict conformity to plans/documents received) of planning permission reference 28C202C so as to provide drainage information after commencement of works, and amendments to plans previously approved at Ty Newydd Bach, Llanfaelog.

Key Issues

The key issue is whether the submission of drainage works after commencement of work is satisfactory and whether the structural alterations and slight amendments to the extension is considered acceptable in policy terms.

Policies

Joint Local Development Plan

Policy PCYFF2 – Development Criteria

Policy PCYFF3 – Design and Place Shaping

Policy PCYFF1 – Development Boundaries

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

Policy TRA4 – Managing Transport Impacts

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

Response to Consultation and Publicity

Consultee	Response
Prifffyrdd a Trafnidiaeth / Highways and Transportation	Satisfied with the amendments to the wording of the condition.
Cynghorydd Richard Dew	No response
Cynghorydd Gwilym O Jones	No response
Cyngor Cymuned Llanfaelog Community Council	No response

Site notices were placed near the site and neighbouring properties were notified by letter. The application was also advertised in the local newspaper as the development is contrary to planning policies. The expiry date for receiving representations is the 11/03/2021. At the time of writing the report no letters had been received.

Relevant Planning History

28C202A – Erection of a stable, garage and store on land at Ty Newydd Bach, Llanfaelog – Approved 2/10/97

28C202B - Full Planning - Proposed conversion at Ty Newydd Bach – Application Returned – 10/4/15

28C202C - Full application for the conversion of a stable into a dwelling, creation of a new vehicular access together with the installation of a septic tank - Ty Newydd Bach, Llanfaelog – Approved 19/11/15

VAR/2020/36 - Application under Section 73 from planning permission reference 28C202C – Returned to applicant.

Main Planning Considerations

The principle of a dwelling has already been established under planning application 28C202C. Drainage works have been commenced and therefore it is considered that a material start has commenced.

As a material start has commenced on the previous permission the following must be considered:-

- Is there a likelihood that the existing permission can be implemented.
- Are the details submitted with this application acceptable.

The existing permission has been implemented and consideration will now be given to the information submitted with the Section 73A application.

Condition (06) (Drainage) of planning permission 28C202C

The condition stated that no development should commence until full design details for the drainage of the site has been submitted to and approved by the Local Planning Authority; however, work has commenced without discharging this condition. As this condition does not go into the heart of the planning permission it is considered that varying this condition to allow further time to provide drainage information is acceptable. The condition will be amended to state that full drainage works shall be submitted prior to the occupation of the dwelling.

Condition (09) (Structural Alterations) of planning permission 28C202C

The condition stated that any further structural alterations which may be required to be carried out to the building shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced.

Additional re-building work has been undertaken around some of the window openings, which was not previously identified for re-building in the original structural survey. The re-building work is not considered to be excessive and the structural survey has been updated to reflect the building as it is currently.

Condition (10) (Approved Drawings) of planning permission 28C202C

The condition stated that works should be in accordance with details submitted under the previous planning application. However the extension that has been erected on site is different to that approved. The extension that was approved was 5.5m x 3.9m which was a total of 21.5 square metres, the extension that has been built is 4.7m x 4.6m which is a total of 22 square metres.

This is a minor change to the originally approved permission. It is considered that this element of the proposal is acceptable.

Adjacent residential properties

Neighbouring properties have been notified of the development. The expiry date to receive representations was the 11/3/21. At the time of writing the report no letters had been received it is not considered that the proposal will have any impact upon their amenity any greater than the approved scheme.

Conclusion

The application is contrary to Policy TAI 7 of the Joint Local Development Plan; however the fallback position is that a material start has commenced on the previous permission; therefore safeguarding the permission.

The details submitted with the planning application is acceptable and the conditions have been amended to reflect the submitted information.

Recommendation

(01) The access shall be laid out and constructed strictly in accordance with the enclosed plan, HMPTA Fig.1 before the use hereby permitted is commenced and thereafter shall be retained and kept free from permanent obstruction and used only for access purposes.

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

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

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

(03) The access shall be constructed with 2.0 metre by 43 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 comply with the requirements of the Highway Authority

(04) The access shall be completed with a bitumen surface or other suitable surfacing material as may be agreed in writing with the Local Planning Authority for the first 5 metres from the nearside edge of the County Highway with the surface water drainage system completed and in working order before the use hereby permitted is commenced.

Reason: To comply with the requirements of the Highway Authority

(05) Full design details for the drainage of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the use of the dwelling.

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

(06) 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.

(07) No works on the removal or reduction of the hedgerow shall take place during the nesting seasons March – September inclusive.

Reason: To avoid any disturbance to nesting birds.

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

Reason: For the avoidance of doubt.

(09) 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 submitted with planning application VAR/2020/57**
- **Block Plan submitted with planning application 28C202C**
- **Structural Survey by Cadarn Consulting REV 01 dated August 2014 submitted with planning application VAR/2020/57**
- **Sparrow Box - submitted with planning application 28C202C**
- **Protected Species Survey by Tim Hodnett dated April 2015 received with planning application 28C202C**
- **Proposed Elevations and Floorplans 05 received with planning application VAR/2020/57**

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

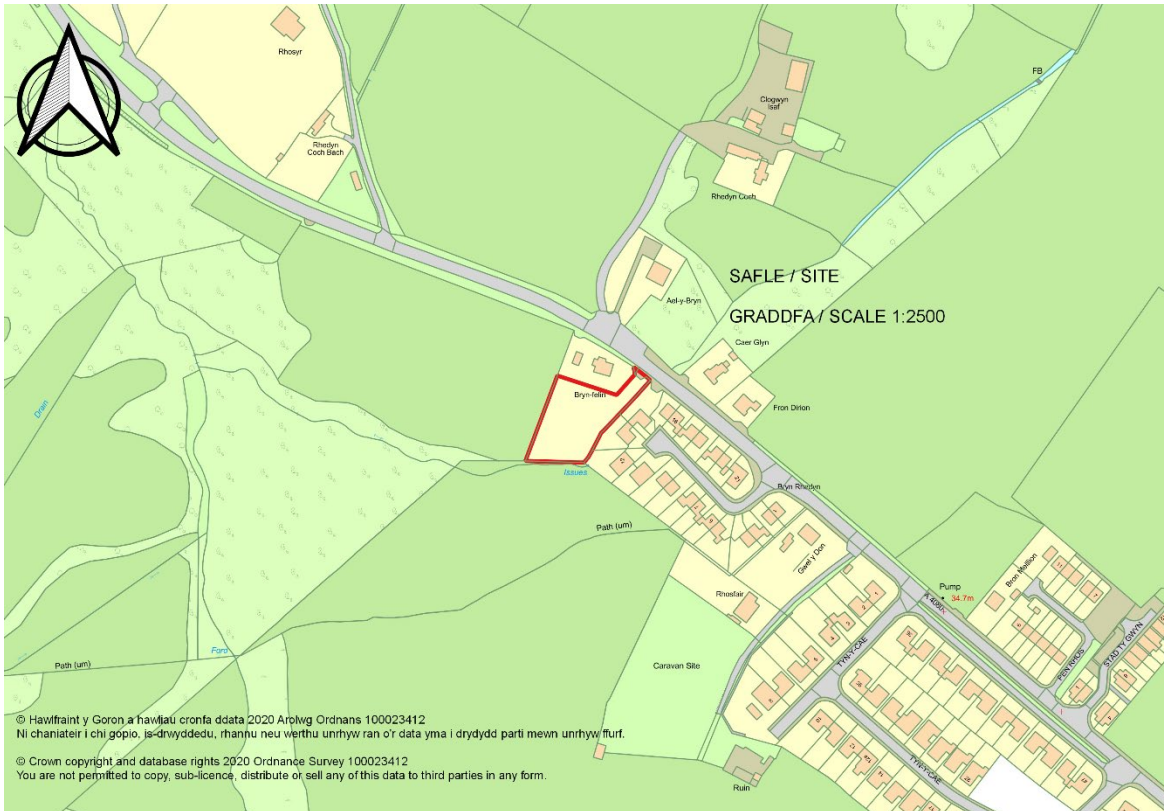
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: VAR/2021/8

Applicant: ANGLESEY LIFESTYLE HOMES ANGLESEY LIFESTYLE HOMES

Description: Application under Section 73a for the variation of condition (16) (Approved plans) of planning permission reference 45C133B (erection of 3 dwellings together with the construction of a vehicular access) so as to allow amended plans on land at

Site Address: Bryn Felin, Newborough



Report of Head of Regulation and Economic Development Service (David Pryce Jones)

Recommendation: Permit

Reason for Reporting to Committee

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

Proposal and Site

The application relates to land on the north western periphery of the settlement which is located within the Area of Outstanding Natural Beauty. Access is from the A4080 with and access road leading to three dwellings behind the existing dwelling at Bryn Felin. To the east there are existing residential properties forming part of the Bryn Rhedyn residential estate.

The development is under construction. The planning application is made under section 73a to vary the planning conditions so as to vary the plans or plot 3, the changes are as follows:

- Ground floor garage changes into a bedroom with the inclusion of bi-fold doors to the front elevation in lieu of garage doors, together with a new window to the side elevation.
- Opposite side elevation includes the installation of 2 additional windows to ground floor study and first floor bedroom 3.

Key Issues

- Compliance with relevant development plan policies and amenity.
- Area of Outstanding Natural Beauty "AONB"
- Amenity of adjacent properties

Policies

Joint Local Development Plan

Anglesey and Gwynedd Joint Local Development Plan (2017)

TRA 2: Parking Standards

TRA 4: Managing Transport Impacts

PCYFF 1: Development Boundaries

PCYFF 2: Development Criteria

PCYFF 3: Design and Place Shaping

PCYFF 4: Design and Landscaping

TAI 3 Housing in Service Villages

AMG 1: Area of Outstanding Natural Beauty Management Plans

AMG 5: Local Biodiversity Conservation

AMG 6: Protecting Sites of Regional or Local Significance

Planning Policy Wales Edition 11 "PPW"

TAN 12: Design

SPG Parking Standards, 2008.

SPG Design in the Urban and Rural Built Environment, 2008 "SPG Design Guide"

Supplementary Planning Guidance Housing Mix (October 2018)

Anglesey AONB Management Plan 2015-2020 "AONB Management Plan"

Response to Consultation and Publicity

Cynghorydd Peter Rogers: No observations received.

Cynghorydd Bryan Owen: No observations received.

Cyngor Cymuned Rhosyr Community Council: No observations received.

Prifffyrdd a Trafnidiaeth / Highways and Transportation: No observations received.

Ymgynghorydd Tirwedd / Landscape Advisor: No observations received.

Swyddog Cefn Gwlad a AHNE / Countryside and AONB Officer: No observations received.

The planning application has been advertised as a departure from the development plan with notifications posted and site notices posted, an advert has also been published in a local newspaper. The publicity period expires on the 18.03.21. No representations have been received at the time of writing.

Relevant Planning History

VAR/2020/8 - Application under Section 73 for the variation of condition (02) (Crested Newt Statement), (04) (External Lighting), (12)(Drainage details), (13) (Traffic Management Plan) and (16) (Approved plans) of planning permission reference 45C133B (erection of three dwellings) so as to vary the conditions by providing the requested information together with amending the dwelling design - Caniatáu / Permit

SCR/2020/9 Screening opinion for the erection of three dwellings together with the construction of a vehicular access No EIA required 25.02.2020.

HHP/2019/94 - Full application for alterations and extensions together with the relocation of existing garage - Permit 06.06.2019.

45C133B - Full Planning Full application for the erection of three dwellings together with the construction of a vehicular access Conditionally Approved 04/04/2017.

45C133C/SCR - Screening opinion for the erection of three dwellings, the construction of a vehicular access together with the installation of a sewage No EIA required 07.12.2018.

45C133A Alterations and extensions to the dwelling along with the formation of a self-contained flat Conditionally approved 13.04.1993.

Main Planning Considerations

Context

This application under section 73a seeks minor seeks relatively minor changes to the design of one of the dwellings previously approved. Whilst the changes are of a minor nature any permission granted under section 73a results in a new planning permission being granted which must be assessed in relation to the development plan and other material planning considerations.

Planning History

The principle of residential development on the application site has been established under the full planning permission approved for 3 dwellings under reference 45C133B which was granted conditionally on the 04.04.2017 under the former development plan which has now been superseded by the JLDP which forms the new development plan. This extant planning permission is a material consideration which is termed a "fallback" position as there is a two year period at the time of writing this report in which this planning permission can be implemented. The acceptability of the proposals subject to this section 73a application need to be assessed in relation to policies in the JLDP and other material planning considerations described in the report taking into account the "fallback".

Principle of the Development

The majority of the application site is located outside the settlement boundary of Newborough defined under the provisions of PCYFF 1 of the JLDP. Policy PCYFF 1 states that outside settlement boundaries development will be resisted unless it is in accordance with specific policies in the JLDP or national planning policies or that the proposal demonstrates that a location in the countryside is essential. Newborough is identified as a Service Village under the provisions of Policy TAI 3 of the JLDP and this policy permits housing within the settlement on suitable allocated and windfall sites but resists general market housing such as that being applied for on sites outside the settlement boundary. The proposal being applied for therefore comprises a departure from the development plans which would normally be

recommended for refusal as the principle of the development is unacceptable as a matter of principle. In this instance, however, there is an extant planning permission which could be implemented within the next two years and it is material to consider the following:

- Is there a likelihood that the existing permission can be implemented?
- Are the amendments to the permission better than that previously approved?

Given that the development is under construction it is clear that the planning permission has already been implemented.

An assessment of detailed considerations having regard to whether the amendments can be regarded as being better than that previously approved is undertaken below.

Affordable Housing

Following the adoption of the JLDP there is a requirements to provide 30% affordable housing for 2 units or more in Newbrough where there is evidence of housing need. Given the extant planning permission no affordable housing units are being offered as part of the proposals subject to this planning application.

Design and External Appearance

The amendments proposed in this planning application are of a minor nature with little difference in design terms to that proposed in the extant planning permission.

Area of Outstanding Natural Beauty

The application site is within the AONB and paragraph 5.3.5 of PPW states that the primary objective of designating AONB'S is the conservation and enhancement of their natural beauty and that development management decisions should favour conservation of natural beauty, although it will also be appropriate to have regard to the economic and social well-being of the areas. There is also a statutory requirement to have regard to the provisions of the AONB Management Plan. Information on external materials, fencing, landscaping and mitigating any impact on the existing trees would to provide a betterment in terms of conserving and enhancing the AONB were provided as part of planning application VAR/2020/8 and these are part of overall approved plans and included as part of conditions of this planning permission.

Ecology and Biodiversity

The provision of additional landscaping and mitigation described in the preceding paragraph provides a biodiversity improvement which aligns with the council's duties under the Environment Act.

Other Matters

In making a recommendation on this planning application regard has been taken of the planning permission granted under reference HHP/2019/94 for alterations and extension and relocation of the existing garage which was granted planning permission in 2019.

Conclusion

Whilst the proposed change is of a very minor nature the application would still result in a new planning permission and the principle of the development is not acceptable under policies in the JLDP and because affordable housing is not being provided. This planning application under section 73a is, however, being recommended for approval because there is an extant planning permission which is in the course of being implemented. The proposal is being recommended for approval because of the betterments described forming part of the approved plans which would accrue from the proposal subject to this planning application in comparison with the extant planning permission.

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

In terms of the Well-being of Future Generations (Wales) Act 2015 it is considered that the proposed development contribute towards a more resilient and cohesive Wales in terms of the economic benefits which will accrue as a result of the construction of the dwelling and in meeting the communities housing needs.

Recommendation

That subject to the receipt of the outstanding information described in the report and responses from outstanding consultees that planning permission is granted subject to the following planning conditions:

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

Reason: In the interests of highway safety.

(04) The access shall be completed with a bitumen surface or other suitable surfacing material for the first 5 metres from the nearside edge of the public highway.

Reason: In the interests of highway safety.

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

Reason: In the interests of highway safety.

(08) No surface water from within the curtilage of the site to discharge onto the public highway.

Reason: In the interests of highway safety.

(02) 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: In the interests of highway safety.

(05) The estate road(s) and its access shall be designed and constructed in accordance with 'Technical Requirements for Estate Roads in Anglesey' (copy enclosed with this decision notice).

Reason: In the interests of highway safety.

(11) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) and document(s) submitted below:

Location Plan 2733:19:1
Site Plan J/AO/SP/01 Revision D
Proposed Elevations Plot 1, 2,3 2733:19:6a (Excluding Plot 3)
Proposed Site Plan 2733:19:3A
Proposed Floor Plan Plot 1 2733:19:4
Proposed Floor Plan Plot 2 & 3 2733:19:5 (Excluding Plot 3)
Proposed Elevations Plot 3 2733:19:BR8
Proposed Floor Plans – Plots 3
Bryn y Felin: Great Crested Newt Reasonable Avoidance Measures V1 Enfys Ecology
Land at Rear of Bryn Felin, Newborough Ref:45c133B Justification Russell-Hughes Cyf

To be completed following submission of the additional information listed in the report.

(03) The access shall be constructed with 2.4 metre by 90 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: In the interests of highway safety.

(07) 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: In the interests of highway safety.

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

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

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

Reason: In order to safeguard the amenities of the area by enabling the local planning authority to consider whether planning permission should be granted for extensions having regard for the particular layout and design of the development.

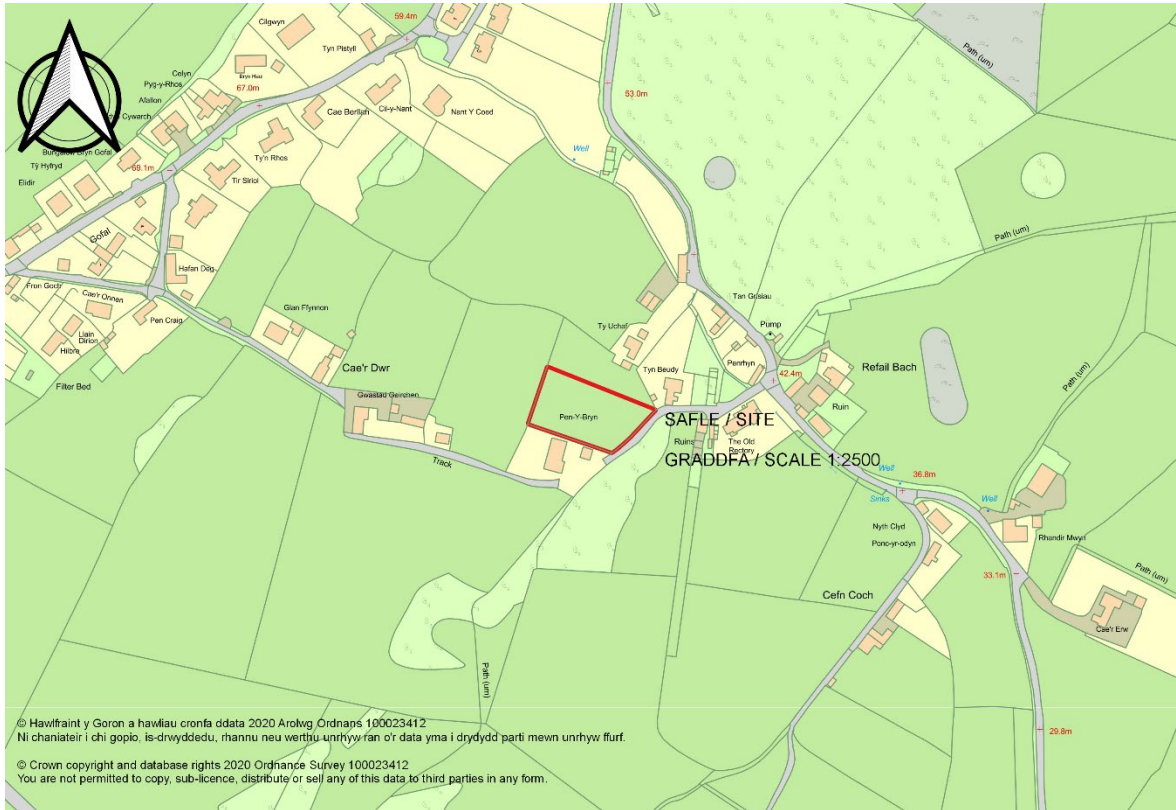
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: VAR/2021/11

Applicant: Mr Chris Owens

Description: Application under Section 73 for the variation of condition (02) of planning permission reference 36C320A and MAO/2018/3 (Erection of a dwelling) so as to amended design at

Site Address: Ty Uchaf, Llangristiolus



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

Recommendation: Permit

Reason for Reporting to Committee

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

Proposal and Site

This is an application under Section 73 for the variation of condition (02) of planning permission reference 36C320A and MAO/2018/3 so as to amend the design of the dwelling at Ty Uchaf, Llangristiolus.

Key Issues

The key issue is whether the amended design is acceptable in policy terms.

Policies

Joint Local Development Plan

Policy PCYFF2 – Development Criteria

Policy PCYFF3 – Design and Place Shaping

Policy PCYFF1 – Development Boundaries

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Eric Wyn Jones	No response
Cynghorydd Dafydd Roberts	No response
Cyngor Cymuned Llangristiolus Community Council	No response
Ymgynghorydd Tirwedd / Landscape Advisor	No impact on Special Landscape Area
Swyddog Llwybrau Troed / Footpaths Officer	No comments
Ymgynghoriadau Cynllunio YGC	Standard Advice
Dwr Cymru Welsh Water	Standard Comments
Priffyrdd a Trafnidiaeth / Highways and Transportation	No response

Site notices were placed near the site and neighbouring properties were notified by letter. The application was also advertised in the local newspaper as the development is contrary to planning policies. The expiry date for receiving representations is the 25/03/2021. At the time of writing the report no letters had been received.

Relevant Planning History

VAR/2021/11 - Cais o dan Adran 73 i ddiwygio amod (02) o caniatâd cynllunio rhif 36C320A and MAO/2018/3 (Codi annedd) er mwyn newid y dyluniad diwygiedig yn / Application under Section 73 for the variation of condition (02) of planning permission reference 36C320A and MAO/2018/3 (Erection of a dwelling) so as to amended design at - Ty Uchaf, Llangristiolus - - Heb Benderfyniad / Not yet determined

MAO/2020/24 - Mân newidiadau i gynllun sydd wedi ei ganiatáu yn flaenorol o dan caniatâd cynllunio 36C320A er mwyn ychwanegu amod o "rhestr o dyluniadau cymeradwy" i rhybudd penderfyniad yn / Minor amendments to scheme previously approved under planning permission 36C320A so as to add a condition for a "list of approved drawings" to decision notice at - Ty Uchaf, Llangristiolus - - Heb Benderfyniad / Not yet determined

LUP/2020/11 - Cais am Dystysgrif Cyfreithlondeb defnydd arfaethedig ar gyfer codi annedd newydd gan fod y gwaith mewn perthynas â chaniatâd 36C320A wedi dechrau gan felly ddiogelu'r caniatâd ar dir ger / Application for a Certificate of Lawfulness for the proposed use of land for the erection of a new dwelling in relation to a material start having been made on permission 36C320A thus safeguarding the consent on land adjacent to - Ty Uchaf, Llangristiolus - [object Object] - Caniatáu / Permit

MAO/2018/3 - Mân newidiadau i gynllun sydd wedi ei ganiatáu yn flaenorol o dan caniatâd cynllunio 36C320A er mwyn ychwanegu amod i sicrhau bod y dabltygiad yn unol â'r cynlluniau a gymeradwywyd ar dir ger / Minor amendments to scheme previously approved under planning permission 36C320A so as to add a condition for the development to be in accordance with the approved plans on land adjacent to - Ty Uchaf, Llangristiolus - [object Object] - Caniatáu / Permitted

LUE/2018/1 - Cais am Dystysgrif Datblygiad Cyfreithlon ar gyfer y gweithgareddau cyfredol sy'n cynnwys gwaith a wnaed ar y fynedfa er mwyn gweithredu caniatd cynllunio 36C320A yn / Application for a Lawful Development Certificate for existing operations comprising of works to access undertaken to implement planning permission 36C320A at - Ty Uchaf, Llangristiolus, Bodorgan - [object Object] - Tynnwyd yn ôl / Withdrawn

36C320B/DIS - Discharge of Conditions - Cais i rhyddhau amos (03) (Cynllun Rheoli Traffig) o caniatad cynllunio 36C320A (cais llawn i codi annedd) ar dir ger / Application to discharge condition (03) (Traffic Management Plan) from planning application 36C320A (full application for the erection - Ty Uchaf, Llangristiolus

36C320A - Full Planning - Cais llawn ar gyfer codi annedd ynghyd a creu mynedfa i gerbydau ar dir ger / Full application for the erection of a dwelling together with the construction of a vehicular access on land adjacent to - Ty Uchaf, Llangristiolus

36C320 - Outline application for the erection of a dwelling and garag

PreApp/2012/016 - Development of land at - Ty uchaf, Llangristiolus

Main Planning Considerations

The principle of a dwelling has already been established under planning application 36C320A and Minor amendments were approved under MAO/2018/3. A certificate of lawfulness was deemed lawful under application LUP/2018/1 as works to the access had commenced. Therefore planning permission for a dwelling has been safeguarded on the application site.

This is an application to amend the design of the approved dwelling.

Joint Local Development Plan

Since the adoption of the Joint Local Development Plan, Llangristiolus is identified as a Local Village under the provision of Policy TAI 4. The application site is not within the development boundary of Llangristiolus and is therefore classed as being in the open countryside location.

However, as a material start has commenced on the previous permission and a lawful use certificate has been proved lawful the following must be considered:-

- Is there a likelihood that the existing permission can be implemented.
- Are the details submitted with this application acceptable.

As stated above a Certificate of Lawfulness has been proved lawful and a material start has taken place on the previous permission; therefore, safeguarding the permission.

Amendments.

The amendments are as follows:-

Amending the design of the dwelling.

The design is much more high quality and will fit in with the adjacent properties much better than the originally approved scheme. It will follow the type of designs on nearby residential properties.

Increase in height.

The previously approved dwelling was 6.5 metres high, the new design will take the height of the dwelling up to 7.9 metres high. It is not considered that the raising of the height will have a negative impact upon

the area or on adjacent residential properties. A cross section has been received which shows the proposals height in relation to the neighbouring property and the main dwelling will only be 85mm higher than the neighbouring property.

The scale of the proposal.

The floor area of the previously approved dwelling was approximately 280 square metres. The floor area of the amended design is approx. 369 square metres. The scale of the dwelling has increased approx. 89 square metres, but it is not considered to have any harm on the area or on adjacent residential properties.

It is considered that the amended design will fit into the area much better than the previously approved permission. The design is more high quality and matches the form of development in the immediate area.

Adjacent residential properties

Neighbouring properties have been notified of the development. The expiry date to receive representations being 25th March, 2021. At the time of writing the report no letters had been received. The Cross Section received with the planning application shows the height of the proposal in relation to the neighbouring property and it is not considered that the proposal will have any impact upon their amenity any greater than the approved scheme.

Conclusion

The application is contrary to Policy TAI 4 of the Joint Local Development Plan; however the fallback position is that a material start has commenced on the previous permission; therefore safeguarding the permission.

The details submitted with the planning application is acceptable and the conditions have been amended to reflect the submitted information.

Recommendation

(01) 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.

(02) Natural slates of uniform colour shall be used as the roofing material of the proposed dwellings.

Reason: To ensure that the development is in the interests of amenity.

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

- **Location Plan**
- **Site Layout Plan and Cross Section SHA-349-03(A)**
- **Proposed Plans and Elevations SHA-349-02**
- **Construction Traffic Management Plan submitted with planning application 36C320B/DIS**

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

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