

Planning Committee: 07/07/2021

7.1

Application Reference: HHP/2021/35

Applicant: Mr. Jamie Roberts

Description: Full application for alterations and extensions at

Site Address: 54 Pennant, Llangefni



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

Recommendation: Withdrawn

**Application Reference:** FPL/2021/71

**Applicant:** Mr Alun Lewis

**Description:** Full application for the retention of the existing structure and continuation of works for the erection of a new holiday unit together with associated works on land at

**Site Address:** Bryn Gollen Newydd, Llanerchymedd



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

**Recommendation:** Refuse

**Reason for Reporting to Committee**

At the request of the Local Member - Councillor Kenneth P Hughes.

At it's meeting that was held on the 2<sup>nd</sup> June, 2021 Members resolved to carry out a site visit prior to determining the application.

A virtual site inspection was carried out on 16<sup>th</sup> June, 2021 and Members will now be familiar with the site and its setting.

## Proposal and Site

The application is a retrospective application to retain the existing structure that has been built without planning permission and the continuation of the works for the erection of a new holiday unit together with associated works.

The application site is located in the open countryside to the West of the settlement of Llanerchymedd. The application site lies approximately 0.64 km (as the crow flies) away from the settlement boundary of the village as defined under Policy TAI 3 of the Anglesey and Gwynedd Joint Local Development Plan.

## Key Issues

The applications main issues are:

- i. Whether the development complies with current local and national planning policies; and
- ii. Whether the development is acceptable in this location.

## 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 TWR 2: Holiday Accommodation  
Policy TRA 2: Parking Standards  
Policy TRA 4: Managing Transport Impacts  
Policy AMG 5: Local Biodiversity Conservation  
Strategic Policy PS 1 – Welsh Language  
Strategic Policy PS 4: Sustainable Transport, Development and Accessibility  
Strategic Policy PS 5: Sustainable Development  
Strategic Policy PS 14: The Visitor Economy

Planning Policy Wales (Edition 11, February 2021)

Technical Advice Note 12: Design (2016)  
Technical Advice Note 18: Transport (2007)  
Technical Advice Note 23: Economic Development (2014)

Supplementary Planning Guidance: Tourist Facilities and Accommodation (2021)  
Supplementary Planning Guidance: Replacement dwellings and Conversions in the Countryside (2019)

Building Better Places: Placemaking and the Covid 19 Recovery (July, 2020)

## Response to Consultation and Publicity

Consultee	Response
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Comments
Priffyrdd a Trafnidiaeth / Highways and Transportation	Recommended conditional approval
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Requested further information in relation to proposed planting scheme. Following receipt of

	additional information confirmed details were acceptable.
Ymgynghorydd Tirwedd / Landscape Advisor	Requested further information regarding proposed planting. Additional information has been received at the department and at the time of drafting this report no response had been received from the Landscape Advisor.
Iechyd yr Amgylchedd / Environmental Health	Standard comments regarding Environment and Health and Safety aspects
Cynghorydd John Griffith	No response to date
Cynghorydd Kenneth P. Hughes	Call-in to ensure compliance with relevant policies
Cynghorydd Llinos Medi Huws	No response to date
Cyngor Cymuned Llanerchymedd Community Council	No response to date
Cyfoeth Naturiol Cymru / Natural Resources Wales	No Objection
Draenio Gwynedd / Gwynedd Drainage	Development does not require a SuDS application
Dwr Cymru Welsh Water	Standard comments regarding private treatment works
Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service	No comments
Ymgynghorydd Treftadaeth / Heritage Advisor	No response to date

The proposal has been advertised through the posting of a notice on site together with the distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of any representation was 26/04/2021. At the time of writing this report, 1 letter of representation in support of the application had been received at the department. The reason for supporting the proposal was;

The property lies directly opposite us and provides a visually pleasing stone external leaf which sits well with our own properties.

### **Relevant Planning History**

25C259 - Full application for conversion of outbuilding into a dwelling, erection of a private garage together with the installation of a package treatment plant on land opposite to Bryn Gollen Newydd, Llanerchymedd – Approved 17/08/2016

25C259A/MIN - Minor amendments to scheme previously approved under planning permission 25C259 so as to amend height of wall and additional windows at Bryn Gollen Newydd, Llanerchymedd – Refused 15/06/2017

25C259B/VAR - Application under Section 73 for the variation of condition (11) of planning permission reference 25C259 (conversion of outbuilding into a dwelling) so as to amend the design of the dwelling on land opposite Bryn Gollen Newydd, Llanerchymedd – Approved 10/01/2018

FPL/2020/189 - Full application for the retention of the existing structure and continuation of works for the erection of a new dwelling together with the installation of a new private treatment plant and associated works on land opposite - Bryn Gollen Newydd, Llanerchymedd – Refused 23/12/2020

ENF/2019/53 – Without planning permission, operational development consisting of the part erection of a building intended for use as a dwelling on the land at Bryn Gollen Newydd, Llanerchymedd – Enforcement Notice issued 29/01/2020 – Appeal allowed under ground (g). Enforcement Notice varied by substituting ‘6 calendar months’ for ‘9 calendar months’ as the time for compliance set out in section 6 of the Enforcement Notice. Subject to this variation, the appeal dismissed and the Enforcement Notice upheld.

## **Main Planning Considerations**

**Background** - The original application under application reference number FPL/2020/189 for the retention of the existing structure and continuation of works for the erection of a new dwelling together with the installation of a new private treatment plant and associated works on land opposite Bryn Gollen Newydd was submitted to the local planning authority for consideration as a result of an enforcement investigation. A complaint was received on the 3rd May, 2019 informing the local planning authority that the agricultural outbuilding was not being converted in accordance with the approval but had been demolished with a new building being constructed in its place.

Following initial enforcement investigation the owner was contacted and advised that he was in breach of planning control and that he should cease all works on site. This advice was disregarded and the unauthorised works continued on site.

As a result, a Planning Contravention Notice was subsequently issued and based on the information provided by the applicant in response a Planning Enforcement Notice (PEN) was issued on 29th January, 2020. Following the issuing of the PEN an appeal was lodged by the applicant.

In the appellants grounds of appeal it was claimed that in determining planning application reference 25C259B/VAR, the Council had failed to properly and adequately consider the nature of the development, and due to the ambiguous nature of the approved plans and submitted structural survey, it essentially granted planning permission for a scheme which could be interpreted as a new build dwelling.

In Paragraph 8 of the appeal decision the Planning Inspectorate stated;

“...whilst I appreciate the structural report for the two recent permissions were practically identical, notwithstanding any differences in the approved schemes, nonetheless, the information submitted in support of the subsequently approved application made specific reference to the outbuilding being structurally suitable to be renovated and converted for residential use as shown on the submitted drawings with only minimal re-building (my emphasis) of a wall required to repair an isolated section that was leaning; the report was quite clear on this point and specifically refers to less than 5% of the existing walls as a total”.

In Paragraph 9 and 10 of the appeal decision the Planning Inspector went on to state;

9. “Notwithstanding the appellant’s assertions in terms of lack of existing/proposed ground levels in terms of works to be carried out or the nature of ‘tanking’ works, there is no clear or significant reference within the structural survey or indeed the approved plans that the height of the existing walls were required to be increased.”

10. “I appreciate there is reference within the submitted structural survey recommending that the concrete floor slab is laid above the rock surface to a void excavation, however this is a recommendation not an absolute requirement. To my mind it is clear when planning permission Ref: 25C259B/VAR and the accompanying documents are considered in their totality, the development permitted was for a conversion of a structure with minimal re-building; the structure on the site is a completely new building and this was not granted planning permission. As a matter of fact, and degree, I conclude that the operational development as” described in the Enforcement Notice has taken place; it does not benefit from planning permission...”

The appeal was allowed under ground (g) (time to comply with the requirement of the notice) and the Planning Enforcement Notice was varied by substituting '6 calendar months' for '9 calendar months' as the time for compliance set out in section 6 of the Enforcement Notice. Subject to this variation, the Planning Inspectorate dismissed the appeal and the Enforcement Notice was upheld.

**Policy Context** – The site lies outside the defined development boundary of Llanerchymedd and is therefore, for the purposes of the Joint Local Development Plan, within the open countryside.

The proposal involves the conversion of a building, which was constructed without planning permission. Since policy TWR 2 relates to the conversion of buildings with lawful planning use, the proposal will have to be considered as a new build. Furthermore, it is not considered that the application can be considered as previously developed land since:

- a) the existing building was built without planning permission;
- b) the original building which was demolished was a traditional agricultural building, and therefore excluded from the definition of previously developed land as set out in Planning Policy Wales.

Policy PCYFF 1 of the adopted Anglesey and Gwynedd Joint Local Development Plan states that development will be resisted outside development boundaries unless it is in accordance with specific policies of the Plan or national planning policy, or that the proposal demonstrates that its location in the countryside is essential.

Policy PCYFF 2 of the Joint Local Development Plan states that a proposal should demonstrate its compliance with relevant policies in the plan, and national planning policy and guidance.

Policy TWR 2 states that proposals for the development of new permanent serviced or self-serviced holiday accommodation will be permitted, provided that they are of a high quality in terms of design, layout and appearance and that all the following criteria can be met;

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

The application relates to a new build development, located within the open countryside, which is not sited on previously developed land. Consequently, the proposal does not conform to the requirements of criteria (i) above, and fundamentally conflicts with policy PCYFF 1 of the LDP. Since the proposal does not meet the requirements of criterion (i) of the policy, and conflicts with policy PCYFF 1, the proposal therefore cannot conform to the requirements of criterion (ii) of the policy.

In terms of criteria (v) a business plan has been submitted as part of the application. However, it is considered that the business plan provides insufficient detail to satisfy the requirements of criterion (v) of the policy in terms of the 'existing self-catering market and competitors within the local area' (i.e. what is the current provision within the area? What is the demand for additional provision?).

Paragraph 3.60 of Planning Policy Wales (11th Edition) states that new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled. All new development should be of a scale and design that respects the character of the surrounding area.

Paragraph 2.7 of the Planning Statement, submitted in support of the application, states that prior to the commencement of works on the conversion of the outbuilding, it became apparent that planning permission had been granted for an ambiguous scheme where the approved plans and the advice set out in the accompanying Structural Survey contradicted each other, which meant that the permission was open to more than one interpretation and it was impossible for the permission to be implemented fully in accordance with the approved documentation.

The statement goes on to state that several meetings took place with the local planning authority. It is acknowledged that these meetings took place between the applicant, his agent and a Planning Officer when the informal advice given to both the applicant and his agent at the time was to implement the approved planning permission or alternatively to submit a new planning application and provide evidence and justification for the new proposal.

Paragraph 2.12 of the Planning Statement state that it is considered that the applicant had unknowingly purchased a site with planning permission that was un-implementable, but this was only discovered after he had made a substantial start on site and had already invested a considerable amount of money and time into the development.

As stated above the applicant and his professional agent had met with a Planning Officer and was were made aware that if it wasn't possible to implement the development in accordance with the approved plan an alternative application should be submitted. It was incumbent on the applicant to seek alternative planning permission prior to the demolition of the outbuilding.

The proposal currently before the Authority is a new build holiday accommodation which lies within an open countryside location. The proposal therefore clearly conflicts with Policy PCYFF 1, PCYFF 2 and TWR 2 of the Anglesey and Gwynedd Joint Local Development Plan and the guidance contained in Planning Policy Wales (11th Edition).

**Sustainability** – As stated above the site lies in open countryside where developments must be strictly controlled. Paragraph 6.3.65 of the Joint Local Development Plan states that the aim of policy TWR 2 is to support the principle of providing high quality self-serviced holiday accommodation in sustainable locations.

Policy PS 5 (Sustainable Development) supports development which is consistent with sustainable development principles, and where appropriate, development should:

“Reduce the need to travel by private transport and encourage opportunities for all user travel when required as often as possible by means of alternative modes, placing particular emphasis on walking, cycling and using public transport in accordance with Strategic policy PS 4;” (Bullet point 12, Policy PS 5)”

This principle is further emphasised by bullet point 4 of PS 14 (The Visitor Economy) which states:

“Supporting appropriately scaled new tourist provision and initiatives in sustainable locations in the countryside through the reuse of existing buildings, where appropriate, or as part of farm diversification, particularly where these would also benefit local communities and support the local economy and where they are in accordance with sustainable development objectives;”

This is consistent with national policy guidance with paragraph 3.39 of PPW (11th Edition) which states;

“In rural areas most new development should be located in settlements which have relatively good accessibility by non-car modes when compared to the rural area as a whole. Development in these areas should embrace the national sustainable place making outcomes and, where possible, offer good active travel connections to the centres of settlements to reduce the need to travel by car for local journeys.”

This is further supported by paragraph 3.11 of Technical Advice Note 18: Transport, which states:

“Development in rural locations should embody sustainability principles, balancing the need to support the rural economy, whilst maintaining and enhancing the environmental, social and cultural quality of rural areas. Most development should be located in places accessible by a range of travel modes.”

The principle of siting new developments in sustainable locations is reiterated in the Welsh Government’s Building Better Places: Placemaking and the Covid-19 Recovery (July 2020) which states that:

“The planning system needs to support developments which are sited in the right locations, where they can be easily accessed by active and sustainable travel modes without the need for a car. The planning system must ensure the chosen locations and resulting design of new developments support sustainable travel modes and maximise accessibility by walking and cycling. New development should improve the quality of place and create safe, social, attractive neighbourhoods where people want to walk, cycle and enjoy. We should not be promoting sites which are unlikely to be well served by walking, cycling and public transport.”

Although proposals necessitating the use of private vehicles are not prohibited through the Joint Local Development Plan, Policy PS5 promotes the application of sustainable development principles in all new developments, including directing developments towards the most appropriate locations and reducing the need to travel by private transport. As stated above the site lies outside the settlement of Llanerchymedd, which lies a distance of 0.65 miles away from the application site. The road network that serves the site from the village is an unlit single carriageway with no pedestrian footway. Whilst there is a local grocery shop and public house in the village visitors to the site would be dependent on cars to visit surrounding areas.

In terms of public transport the local bus service stops in the village four times daily which further serves to demonstrate that the occupants of the holiday unit would be dependent on the private motor car.

The development would lead to a significantly increased number of trips by private car to this location and the proposal is not entirely accessible via non-car modes of transport. The proposed development by its very nature would be car dependent and would not minimise the need to travel, contrary to several of the National Sustainable Placemaking Outcomes set out in Planning Policy Wales.

Due to the site being in open countryside and not on previously developed land, away from local infrastructure, and the reliance on private transport, it would not constitute a suitable location as required by Strategic Policy PS4, PS5 and TAN 18.

## **Conclusion**

The proposal is a new build holiday unit situated in an open countryside location. The proposal conflicts with Policy TWR 2, PCYFF 1 and PCYFF 2 of the Anglesey and Gwynedd Joint Local Development Plan. The site is not located within a sustainable location and the proposal would be highly dependent on private car use. The site is not entirely accessible via non-car modes of transport. The development therefore conflicts with Policy PS 4, PS 5, TWR 2, TAN 18 and the guidance contained within Planning Policy Wales (11th Edition) and Welsh Government’s Building Better Places: Placemaking and the Covid-19 Recovery (July 2020).

## **Recommendation**

Refuse

(01) The Local Planning Authority considers that the erection of a new build holiday unit is contrary to the provisions of Policy TWR 2 and PCYFF 1 of the Anglesey and Gwynedd Joint Local Development Plan and the advice contained in Technical Advice Note 23: Economic Development and Supplementary Planning Guidance: Replacement Dwellings and Conversions in the Countryside (September 2019).



(02) The Local Planning Authority consider the site to be in an unsustainable location in the open countryside contrary to the provisions of policies PS 4, PS 5 and PS 14 of the Anglesey and Gwynedd Joint Local Development Plan and the advice contained in Technical Advice Note 18: Transport and Welsh Government's Building Better Places: Placemaking and the Covid-19 Recovery (July 2020).

**Application Reference:** FPL/2021/38

**Applicant:** Mr Richard Ward-Davis

**Description:** Full application for the sitting of 2 glamping pods together with the creation of a new access and associated development on land adjacent

**Site Address:** Gwel y Mor, Penrhosfeilw



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

**Recommendation:** Refuse

**Reason for Reporting to Committee**

The Local Member called the planning application to the Planning Committee for consideration due to there being a touring park nearby, holiday lets nearby and two shepherd huts in close proximity of the application site.

A site visit took place on the 19th May and at its meeting held on the 2nd June, 2021 the Committee resolved to approve the application contrary to officer recommendation. The recorded reasons being as follows:

- The application site is unobtrusive and beneficial for the area.

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 site is within the AONB in an open location close to the Highway. Gwel y Mor is visible on the approach from Trearddur Bay and on the approach from South Stack where the highway approaches the site from several aspects.

Criteria 1 of Policy TWR 5 states that these types of developments should be in an unobtrusive location and well screened by existing landscape features and/or where units can be readily assimilated into the landscape without the need for excessive man made features such as hard-standing and fencing. It is considered that the application site is obtrusive as it is an open site with only a limited amount of existing screening. The pods will be removed from the field; however, the pods will be located on land near the applicant's dwelling; therefore, there will be all year round visual impacts arising from the development. The application site is visible and is not adequately screened by existing landscape features. The proposed planting proposed would be slow to establish and would take 7-10 years to have any effect.

The proposal is contrary to several policies of the Joint Local Development Plan (PCYFF2, PCYFF3, PCYFF4, AMG3, TWR5, PS4, PS5), and the economic benefit arising from the development does not outweigh the policy objection.

The proposal is also considered to be located in an unsustainable location, there are no shops in the immediate area, the nearest town which offers a number of services is Holyhead which is located approx. 3.30km away. The development would lead to a significantly increased number of trips by private car to this location and the proposal is not entirely accessible via non-car modes of transport. Due to the site being in open countryside, away from local infrastructure, and the reliance on private transport, it would not constitute a suitable location as required by Strategic Policy PS5, Strategic Policy PS14, Planning Policy Wales and TAN 18

It is also considered that the proposal would impact on the amenity of the adjacent residential property. The closest pod would be located within approx. 15m of the boundary of the neighbouring property known as Glan Gorsgoch Uchaf and it is considered that the proposal would have a negative impact upon the amenities of these residential properties due to increased activity of holiday makers coming and going, and noise generation within such a close distance to their property, this would be contrary to the provisions of policy PCYFF2.

## **Recommendation**

(01)The proposed development is located in an isolated open countryside location and it is not considered to be well-sited or high quality development contrary to the requirements of policy PCYFF3, PCYFF4, AMG3 and TWR 5 of the Joint Local Development Plan, Planning Policy Wales (Edition 11), and Supplementary Planning Guidance Tourism Facilities and Accommodation.

(02)The local planning authority considers that the development undermines the Welsh Governments commitment to sustainability in terms of its location. The proposal would thus result in isolated and unsustainable development of holiday accommodation in the countryside which would conflict with Strategic Policy PS4 and PS5 of the Joint Local Development Plan, Planning Policy Wales (Edition 11), Technical Advice Note 18: Transport.

(03) It is considered that the proposed development would by virtue of noise and general disturbance have an unacceptable impact on the immediate residential properties. This would contravene the provisions of Policy PCYFF2 of the Joint Local Development Plan and Planning Policy Wales (Edition 11).



## Proposal and Site

This is an application under Section 73 for the variation of condition (02) (Approved plans) and (03) (Access and parking accommodation) of planning permission reference FPL/2019/322 (conversion of a church into a dwelling together with a construction of a new vehicular access ) so as to amend the parking accommodation to omit the provision of a turntable at Christ Church, Rhosybol.

## Key Issues

The key issue is whether there is a need for the applicant to provide a turntable as part of the planning application.

## Policies

### Joint Local Development Plan

Policy PCYFF 2: Development Criteria  
Policy PCYFF 4: Design and Landscaping  
Policy PCYFF 3: Design and Place Shaping  
Policy PCYFF 1: Development Boundaries  
Policy PCYFF 5: Carbon Management  
Policy TAI 15: Affordable Housing Threshold & Distribution  
Policy TAI 4: Housing in Local, Rural & Coastal Villages  
Policy ISA 2: Community Facilities  
Policy ISA 1: Infrastructure Provision  
Strategic Policy PS 2: Infrastructure and Developer Contributions  
Policy TRA 2: Parking Standards  
Policy TRA 4: Managing Transport Impacts

Strategic Policy PS 5: Sustainable Development  
Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change

## Response to Consultation and Publicity

Consultee	Response
Cynghorydd Richard Griffiths	No response
Cynghorydd Aled Morris Jones	A request made for the application to be presented to the Planning and Orders Committee for consideration due to Highway concern and impact on the surrounding landscape.
Cynghorydd Richard Owain Jones	No response
Cyngor Cymuned Rhosybol Community Council	No response
Prifffyrdd a Trafnidiaeth / Highways and Transportation	Satisfied with the proposal.

The application was advertised by the distribution of letters to neighbouring properties. The expiry date to receive representations being the 27th May, 2021. At the time of writing the report 6 letters of objection had been received.

The main reasons for objecting were as follows:-

- The access to the cemetery is on the brow of a hill which in turn is very dangerous when vehicles would exit the cemetery onto the main road.
- Graves and gravestones being disturbed as space is very limited. Thoroughfare for loved ones visiting the cemetery would also be impacted.
- Reservations with regards to whether the applicant can guarantee exit of vehicles in the correct way.
- Boundaries should be permanent fixtures to protect the graves.

In response to the objections raised.

- From the information provided by the applicant, there is adequate space to manoeuvre within the site without the need to provide a turntable.
- The red line of the application has not changed. The applicant has provided information that the turning area can be provided without having an impact upon existing graves and gravestones.
- The principle of the change of use has already been established by the extant planning permission.
- Conditions of the previous consent are still valid and should be complied with and there is a specific condition requiring the applicant to provide details of boundary treatments.

### **Relevant Planning History**

44C325 - Full Planning - Cais llawn i newid defnydd o hen eglwys i annedd yn / Full application for conversion of the former church into a dwelling at - Christ Church, Rhosybol – Withdrawn 31/10/16

FPL/2019/322 - Full application for conversion of a church into a dwelling together with a construction of a new vehicular access at - Christ Church, Rhosybol - Permit

### **Main Planning Considerations**

The proposal is an application under Section 73 for the variation of condition (02) (Approved plans) and (03) (Access and parking accommodation) of planning permission reference FPL/2019/322 (conversion of a church into a dwelling together with a construction of a new vehicular access) so as to amend the parking accommodation to omit the provision of a turntable at Christ Church, Rhosybol.

There is an extant planning permission on the site under planning application FPL/2019/322 was approved by the Planning Committee on the 13/1/21 for the change of use of the former church into a residential dwelling.

As part of the previous permission the Highways Authority confirmed that a turntable was required to ensure that cars could leave the site in forward gear without having the need to reverse onto the highway.

### **Amendments**

Since the planning permission has been approved, the applicant has removed a section of the front wall and cleared the overgrowth on the site. It has become apparent that there is no need for a turntable and that adequate space is available to turn within the site without the need for a turntable.

The proposed Access Plan provided with the planning application shows the manoeuvring that could be achieved on the site and confirms that the car can leave in forward gear. The Highways Authority has confirmed that they are satisfied with the information submitted.

## Conclusion

The amended access plan provided with the planning application indicates that there is sufficient room to manoeuvre from within the site and cars can leave the site in forward gear. The Highways Authority has confirmed that they are satisfied with the information submitted.

## Recommendation

**(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 – Submitted with planning application FPL/2019/322
- Cross Section - fccrtoa/002 - Submitted with planning application FPL/2019/322
- Floor Plans and Elevations - fccrtoa/001 - Submitted with planning application FPL/2019/322
- Access Plan submitted with planning application VAR/2021/27
- Proposed Drainage Plan - Submitted with planning application FPL/2019/322
- Cambrian Ecology LTD - Bat & Protected Species Survey - Submitted with planning application FPL/2019/322

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

**(03) No other part of the development hereby approved by this permission shall begin until the access is laid out and constructed together with the car parking accommodation completed in full accordance with the details hereby approved. The car parking accommodation shall thereafter be retained solely for those purposes and the access retained and kept free from permanent obstruction and used only for access purposes.**

Reason: 1. 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. 2. In order to minimise danger, obstruction and inconvenience to users of the highway and of the access

**(04) 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.

**(05) Construction works shall not take place outside the hours of 8:30 to 17:30 Mondays to Fridays and 9:00 to 13:00 on Saturdays and at no time on Sundays or Public Holidays.**

Reason: To protect the amenities of nearby residential occupiers.

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

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



**(07) Prior to the occupation of the residential unit hereby approved a plan indicating the positions, height, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the local planning authority. The boundary treatment shall be completed as approved before the use is commenced.**

Reason: To ensure a satisfactory appearance of the development.

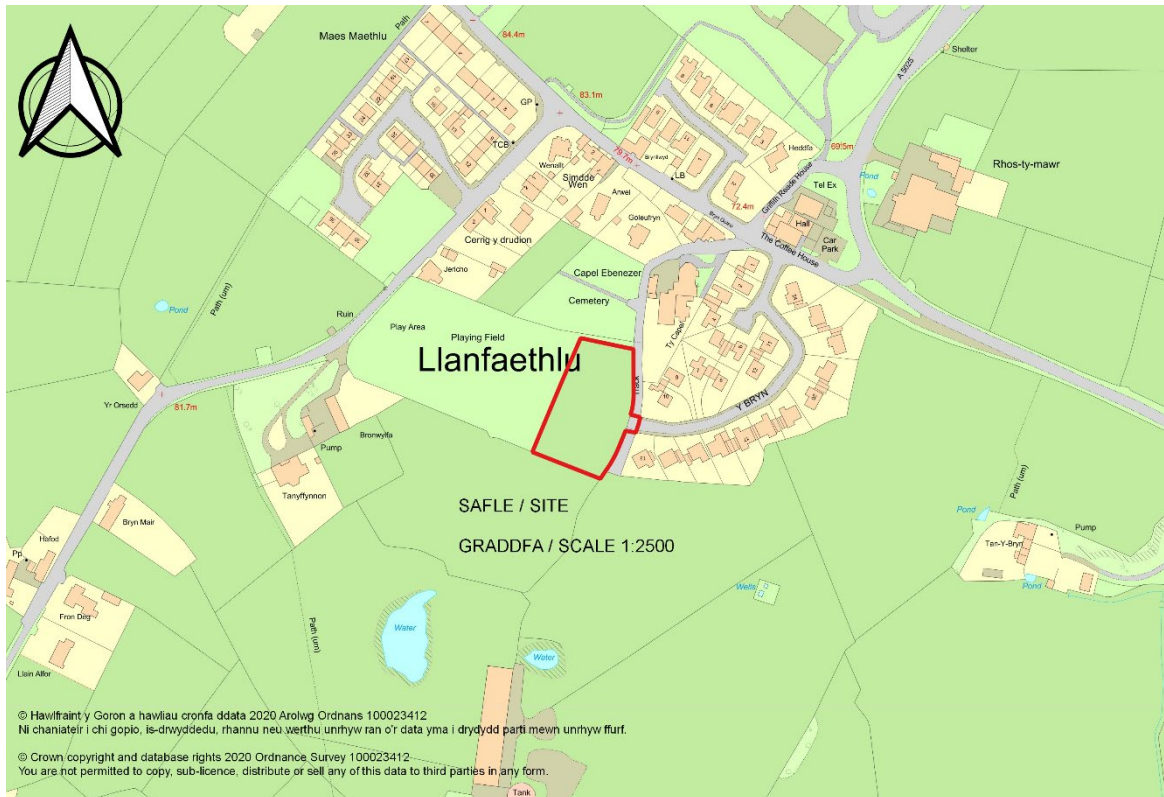
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2020/247

Applicant: Mr Nigel Ingram

Description: Full application for the erection of 9 dwellings together with associated works on land adjacent to

Site Address: Y Bryn Estate, Llanfaethlu



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

The application has been called to the planning committee by a local member.

It was resolved to approve the planning application at the April Planning Committee subject to the completion of a legal agreement. In the course of this process an amended ownership certificate C was submitted by the applicants giving notice to the council as landowner. It is considered necessary to publicise, consult and report back on this change to the planning committee.

**Proposal and Site**

The application site adjoins the south west of Llanfaethlu and it adjoins and is accessed through Y Bryn residential Estate. There is an access track along the eastern boundary which forms part of the route of a

Public Right of Way. There are 3 listed buildings adjacent at Capel Ebenezer to the north east. Part of the village adjacent is within an Area of Outstanding Natural Beauty “AONB”.

This is a full planning application for 9 dwellings comprising 7 detached and two semi-detached houses. The housing mix of the development is as follows:

Five 3 bedroom detached  
Two 3 bedroom detached  
One 3 bedroom affordable  
One 2 bedroom affordable.

The application site encompasses part of the track along the eastern boundary of the application site and a new road and pavement is proposed connecting with the public highway leading through Y Bryn. Foul drainage would be connected to the public sewer. Surface water drainage would be connected to a local authority drain in the public highway. The planning application is being reported back to the planning committee as the applicant has now submitted an amended certificate C giving notice to the highway authority as landowner of the aforementioned foul and surface water connections in the public highway.

The planning application is supported by a Housing Mix Assessment, Ecological Report, Heritage Impact Assessment and in the course of determining the planning application additional drainage information was submitted.

### **Key Issues**

- Principle of Development
- Highway & Sustainability Considerations
- High Quality Development
- Built Heritage & Archaeology
- AONB
- Ecology and Biodiversity
- Foul and Surface Water Drainage Foul drainage

### **Policies**

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

Anglesey and Gwynedd Joint Local Development Plan 2011 – 2026

PS 1: Welsh Language and Culture

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 6: Water Conservation

PS 17: Settlement Strategy

TAI 4: Housing in Local, Rural and Coastal Clusters

TAI 8: Appropriate Housing Mix

AMG 1: AONB Management Plans

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

AMG 5: Local Biodiversity Conservation  
PS 19: Conserving and where appropriate Enhancing the Natural Environment  
PS 19: Conserving and where appropriate Enhancing the Natural Environment  
PS 20: Preserving and where appropriate enhancing heritage assets

Planning Policy Wales (Edition 11)  
Technical Advice Note (TAN) 2: Planning and Affordable Housing (2006)  
Technical Advice Note 5 (TAN): Nature Conservation and Planning (2009)  
Technical Advice Note (TAN) 12: Design (2016)  
Technical Advice Note (TAN) 18: Transport (2007)  
Technical Advice Note (TAN) 20: Planning and the Welsh Language (2017)  
Technical Advice Note (TAN) 23: Economic Development (2014)  
Technical Advice Note (TAN) 24: The Historic Environment (2017)

Supplementary Planning Guidance IOCC Design Guide for the urban and Rural Environment (2008) "SPG Design Guide"  
Supplementary Planning Guidance Parking Standards (2008)  
Supplementary Planning Guidance Planning Obligations (Section 106 Agreements) (2019)  
Supplementary Planning Guidance Housing Mix (Oct 2018)  
Supplementary Planning Guidance Affordable Housing (April 2019)  
Supplementary Planning Guidance (SPG) 'Maintaining and Creating Distinctive and Sustainable Communities' (July 2019)

Isle of Anglesey AONB Management Plan 2015-2020.

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

Ymgynghoriadau Cynllunio YGC: We are aware that an objection letter has been submitted which raises mainly land drainage concerns. With regard to the issues raised in the objection letter I offer that the development is to be subject to SAB consent, and will need to clearly demonstrate the following within the application:

- The discharge point for the surface water system is appropriate, and does not differ from the current surface water run-off destination (i.e. that of the undeveloped field)
- The existing greenfield run-off rate has been applied to the proposed development

Having reviewed the drainage strategy we expect that these tests can be met within the SAB application, and will thereby provide reassurance that no adverse impacts are expected upon neighbouring land. We agree that 3rd party agreement should be sought before any new surface water connections are made on/in private land.

Dwr Cymru Welsh Water: Advisories recommended regarding SuDs approval and lateral drains.

Priffyrdd a Trafnidiaeth / Highways and Transportation: Subject to the approval of the proposed drainage scheme by the SAB / LLFA, the layout is acceptable from a 'highways' perspective subject to the listed planning conditions.

Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor: Recommends conditioning of Invasive Species Control and Eradication Plan and conditioning the following of methodology from S9.2 of the Ecological Assessment for site vegetation removal.

Ymgynghorydd Tirwedd / Landscape Advisor: The landscaping details shown on the proposed landscape plan used the same species and mix as proposed and approved under RM/2019/4. Although it does not number plans densities are noted and it is acceptable in relation to PCYFF 4.

Ymgynghorydd Treftadaeth / Heritage Advisor: The proposed development site lies adjacent to three listed building situated directly to NW (Ebenezer Chapel including chapel house and hall, Outbuilding, Ebenezer Chapel, and Gate and gateposts, wall and railings, Ebenezer Chapel). The submitted Heritage

Impact Assessment "HIS" has considered the effect the proposed development would have on the above Chapel Group, and I would concur with its finding that the proposals would not lead to harm of the significance of these listed buildings.

Swyddog Hawliau Tramwy Cyhoeddus/ Public Rights of Way Officer: Comments awaited at the time of writing.

Strategol Tai / Housing Strategy: Have provided information in relation to the Social Housing Register and the Tai Teg Affordable Housing Register. Also confirmed that the Rural Housing Enablers conducted a survey of the Llanfaethlu and Llanfwrog Community Council area during July 2016 and found that there is a need for 3 to 5 affordable houses in the area. Based on a target of 20% two of the units should be provided for affordable housing and it is confirmed that need exists for two affordable dwellings. Are also satisfied with the Housing Mix Assessment submitted.

Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit: Planning policy considerations listed.

Gwasanaeth Addysg / Education Service: No contribution required.

Cynghorydd John Griffith: No observations received.

Cynghorydd Kenneth P. Hughes: Called the application to the planning committee because of local concern regarding the number, problems with surface and foul drainage.

Cynghorydd Llinos Medi Huws: No observations received.

Cyngor Cymuned Llanfaethlu Community Council: No problems with an estate of houses but some of the residents are already worried about standing water around their houses and gardens. The new housing estate is higher than the existing houses and it is therefore only natural for them to worry about the water situation. Will the measures proposed be sufficient that is underground tanks and over size pipes? Has the developer met and discussed with adjacent properties? Therefore the community council were unable to decide.

In further comments the community council look forward to see this type of development in the village but is concerned about the possibility of water problems worsening in The Bryn. Owners of houses and landowners are not content with the situation.

AONB Officer: No observations received.

GCAG / GAPS: Given the potential for archaeology in the locality conditional permission is recommended requiring archaeological mitigation.

Iechyd yr Amgylchedd / Environmental Health: Matters in relation to nuisance due to construction times, the use of pneumatic rock machinery during construction and contaminated land are listed.

Cyfoeth Naturiol Cymru / Natural Resources Wales: No objections. Protected Species: We note that the bat report submitted in support of the above application (Cambrian Ecology, January 2020) has identified that bats were not using the application site. We therefore have no comments.

Welsh Government Agricultural Division: This response is made in accordance with Technical Advice Note 6, Annex B6 and relates to technical information only; not the merits or otherwise of the proposal.

. Agricultural Land Classification (ALC):

The Department has not previously surveyed the site. According to the Predictive ALC Map, the land is likely to be Grade 2.

2. Advice:

An ALC survey is not required for the site as it is within the development boundary of Llanfaethlu and therefore BMV policy would have been considered in development of the LDP.

The planning application was previously advertised on two occasions with notification letters, site notices and notices in the newspaper. On the second occasion additional information relating to surface water drainage was submitted addressing matters raised in objections and the publicity period for this expired on the 11.03.21. Objections have been received on the following grounds:

- Objector will not accept additional surface water draining onto their land.
- The additional information submitted in relation to surface water drainage is challenged because of alleged vagueness in the drainage strategy and mitigation of surface water run-off.
- Access road is unsuitable.
- Entrance from Y Bryn is inadequate due to a lack of visibility.
- Surface water run off onto adjacent properties and the adjacent stream
- Adequacy of the foul drainage system.
- Lane is included within red line plan and is owned by a third party and the formal agreement of the landowner will be required.
- Impact on the prices of adjacent properties.
- No need for the project/additional dwellings in the current climate.
- Conditions recommended as regards local needs, surface water design for disabled occupants.
- Impact on the footpath.

Following the submission of an amended certificate C the planning application was re-advertised and notification period expires on the 01.07.21. At the time of writing one objection has been received on the specifically in relation to surface water drainage as follows:

- There is no existing surface water drainage pipe leading to the west which the development can connect to. On this basis it is contended that the proposal will this change the existing water outflow in terms of both volume and direction.
- The results of the submitted porosity test are questioned.
- Impact of the development on the adjacent farmland.

### **Relevant Planning History**

RM/2019/4 - Cais am faterion a gadwyd yn ôl ar gyfer codi 6 annedd ar dir yn / Application for reserved matters for the erection of 6 dwellings on land at - Bryn Estate, Llanfaethlu - Caniatáu / Permit 21.08.2019.

DIS/2019/60 - Cais i ryddhau amod (05) (Disgrifiad llechi) (06) (Disgrifiad deunyddiau gwynebau allanol) (13) (Traenio dwr gwyneb)o ganiatâd cynllunio 29C112B/VAR ar dir yn / Application to discharge condition (05) (Slate trade description) (06) (External surface material trade descriptions) (13) (Surface water drainage) of planning permission 29C112B/VAR on land at - Stad Bryn Estate, Llanfaethlu - - Amod wedi'i Ryddhau / Heb ei Ryddhau / Condition Discharged / Not Dis 21,08.2019.

DIS/2019/102 - Cais ar gyfer rhyddhau amod (13) (cynllun a dor wyneb) o ganiatad cynllunio 25.10.2019.

29C112B/VAR Application under Section 73 for the variation of condition (02) of planning permission reference 29C112A (renewal of planning permission reference 29C112 for the erection of 6 dwellings on land adjacent to) so as to extend the outline planning permission by a further three years together with the deletion of conditions (25), (26) and (27) (Code for Sustainable Homes) Conditionally approved 01.11.2017.

29C112A - Renewal of outline planning permission for the erection of 6 Conditionally approved 07.12.2012.

29C112 - Outline app. for the erection of 6 dwellings Conditionally approved 14.12.2007.

## **Main Planning Considerations**

### **Introduction**

As explained in the planning history section above outline planning permission was initially granted in 2007 for the development of 6 residential units on the application site. This was renewed twice and it appears that the most recent planning permission is extant because it can be implemented within the statutory time period; further all planning conditions have been discharged. The principle of developing the application for 6 residential units would appear to have been established. The planning application subject to the current application increases the number of units by 3 to 9 and the acceptability of the principle of the development is considered in relation to the development plan below.

### **Principle of Development**

Policy PS 17 states that housing development will be distributed in accord with the settlement strategy based on a settlements level of service provision, function and size (population) and subject to its environmental, social and infrastructure capacity to accommodate development. Llanfaethlu is classified as a Local Village under the provisions of policy TAI 4 and such settlements are described in the JLDP as having generally fewer services and facilities. Policy TAI 4 permits in Local Villages provided that the size, scale and design of the development corresponds with the settlements character. There are also more generic policies in this regard and these matters are considered under the High Quality Development heading below.

The enquiry site is located on an unallocated within the settlement boundary of Llanfaethlu as defined under the provisions of policy PCYFF 1 and the principle of the development is thus acceptable. The JPPU's comments state that there is capacity within the indicative supply for the settlement of Llanfaethlu. In light of this the JPPU explain that under criterion (1b) of Policy PS 1 currently there is no need for a Welsh language statement to support the application. Criterion (1c) of Policy PS 1, however, states that a Welsh Language Statement is required for proposals of 5 or more residential units where it does not address evidence of need and demand for housing recorded in a Local House Market Assessment "LHMA" and other relevant local sources of evidence.

Policy TAI 8 of the JLDP states that the council will work with partners to promote sustainable mixed communities by ensuring that all new residential developments contributes to improving the balance of housing and meets the identified need of the whole community by adherence to the listed criteria including maximising the delivery of affordable housing, contributing to redress an identified imbalance in the local housing market, providing the correct mix in terms of type and tenure to meet the area current and future communities, making provision for people with disabilities and ensuring a high standard of design. The Supplementary Planning Guidance Housing Mix (October 2008) provides detailed guidance in this regard. The submission explains that housing mix (which was detailed in the Proposal and Site Section of this report) does not comply with the ideal mix in the LHMA and on this basis a Housing Mix Assessment has been submitted with the planning application. The Housing Mix Assessment indicates that the evidence indicates that 3 bedroom open market housing is acceptable and that if smaller units were proposed these would likely not be taken up. Further that the applicant is will to provide two affordable housing units in accord with policy requirements. The council's Housing Strategy have confirmed that they are satisfied with the Housing Mix Assessment and that there is need based on the evidence they have provided for the affordable housing units.

The JPPU's comments explain that even when the proposal does not require a Welsh language statement under criterion (1b) in line with Diagram 10 of the SPG Maintenance and Creation of Distinctive and Sustainable Communities a record of how consideration was given to the Welsh language when drawing up the planning application should be sought. This information has been provided in the Planning Support Statement and includes consideration of the modest scale of the construction and completed development, suitability of the dwellings for Welsh speaking families and that affordable housing is provided and that the applicant is agreeable to naming the development in Welsh.

The Planning Support Statement states that the proposal attains a density of just under 30 dwellings per hectare which aligns with the requirements of policies PCYFF 2 and TAI 8. Whilst the density of the development aligns with these policy requirements its acceptability is also subject to other more generic policies below.

### **Highway & Sustainability Considerations**

The application site can be regarded as being in a relatively sustainable location in Anglesey's rural context. There is a retail shop present in the village in addition to a new primary school which serves a large rural catchment. Public transport facilities are available with regular bus services available to higher order settlements at Holyhead and Amlwch.

From the a layout perspective no objections are raised to the development nor to the use of the access through Y Bryn estate.

### **High Quality Development**

It is material to consider the relationship of the development with its surroundings having regard to the relevant policies in the JLDP. Policy PCYFF 2: Development Criteria and PCYFF 3: Design and Place Shaping, and PCYFF 4: Design and Landscaping are the primary considerations in assessing the proposal from this aspect. National planning policies in PPW and TAN 12 are also material.

Llanfaethlu is a rural village part of which is within the AONB adjacent to the application site. The size, scale, design and density of the development should be appropriate to this context. There are other larger estate type developments present in the village and the scale and density of the proposal would not be excessive in this context. The proposal is made for houses which would have slated roofs and again this would not be out of context given that there are existing two storey estates in the village.

The council's SPG Design Guide provides guidance on acceptable distances on various elevations to the boundaries and adjacent properties. The distances provided in this guidance are intended to prevent excessive overlooking between dwellings and into private garden areas and to provide an adequate outlook from windows. The distance from the rear elevations of some dwellings to the west and to the north of the development fall below those prescribed in the SPG Design Guide by a couple of metres. Given that these elevations and rear boundaries are adjacent to an agricultural field and a cemetery this would not harm residential amenity or the outlook of occupants of the development to a degree which would warrant refusal.

It is confirmed that the distances of the proposed dwellings to the nearest existing houses at Y Bryn comply with the guidance in the SPG Design Guide.

The council's landscape adviser has stated that the landscaping scheme is generally acceptable and meets the requirements of PCYFF 4.

### **Built Heritage & Archaeology**

PPW states that there is a general presumption in favour of the preservation of a listed building and its setting, further for development proposals affecting a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building and its setting. Paragraph 1.26 of TAN 24 states that it is for the applicant to provide the local planning authority with sufficient information to allow the assessment of their proposal on listed buildings and their settings, and the type of information required for assessment is described.

The council's Heritage Adviser explains that the adjacent the proposed development site lies adjacent to three listed building situated directly to the north west at Ebenezer Chapel and that he agrees with the



findings of the supporting information that the proposed development would not lead to harm of the significance of these listed buildings and on this basis the aforementioned policy and statutory provisions are considered to be met.

GAPS do not raise any objections to the proposed development but given the potential for archaeology to be present they have recommended a planning condition requiring archaeological mitigation.

## **AONB**

The AONB is located in proximity to the north where it encompasses part of the settlement. Policy AMG 1 states that proposals must where appropriate have regard to the relevant AONB Management Plan and there is also statutory requirements in this regard. The AONB Management Plan requires assessment of proposals within 2km of the AONB. The AONB encompasses part of the village in close proximity to the proposed development. No issues are raised by a consultees including NRW in terms of the impact of the development on the setting of the AONB. As explained previously the council's Landscape Adviser is generally satisfied with the landscaping scheme, this scheme includes the provision of hedges along perimeters of the development nearest the AONB. Taking all these matters into consideration it is considered that the material policy and statutory requirements in relation to the consideration of the impact of the development on the setting of the AONB adjacent are met.

## **Ecology and Biodiversity**

The council's Ecological and Environmental Adviser is satisfied with the development subject to conditions recommended in relation control of invasive species and on this basis material policies and statutory provisions in the Environment Act Wales are considered to be met.

## **Foul and Surface Water Drainage**

Foul drainage As part of the proposal foul and surface water drainage will be connected at points in the public highway adjacent at Y Bryn. The planning application is being reported back to the planning committee as the applicant has now submitted an amended certificate C giving notice to the highway authority as landowner of the aforementioned foul and surface water connections in the public highway. The submission of the amended certificate C meets the requirements of the planning act that applicant's notify owners of planning applications submitted on their land.

Welsh Water do not raise any objections to the disposal of foul drainage in this manner.

Significant objections have been received to the adequacy and means of surface water drainage arrangements as part of the proposals and additional information was received as a result of objections received on this basis. It is the applicant's contention that surface water runoff from the existing site and the proposed development will enter the same catchment, being the land drain to which Y Bryn estate discharges into. Further that the discharge from the proposed development will mimic greenfield run off as per the requirements of Suds Approval Body "SAB". A Suds approval will be required separately to the SAB and as such recent planning appeal decisions have indicated that given the need for a separate consent that the adequacy of these arrangements can be considered separate to the planning process. The SAB have previously confirmed that having reviewed the drainage strategy they expect that the applicable tests in this process can be met within the SAB application, they have also provided reassurance that no adverse impacts are expected upon neighbouring land. At the time of writing relevant officers are assessing the latest objection received in the latest notification period on surface water matters.

## **Other Matters**

The track within the eastern area of the application site is a Public Right of Way "PROW". Comments are awaited from the council's Public Rights of Way Officer at the time of writing. Part of this access track is included within the red area of the application site in so far as it encompassed the highway and

pavements into the development. Ownership certificate C has been completed indicating that the applicants have served notice on all owners that are known. This meets the requirements of the planning act in terms of the notification of owners for planning applications submitted. Any consent required by any landowners to subsequently carry out works is a separate civil issue.

Given that there appears to be an extant planning permission for 6 units on the application and on the basis that since and having regard to the comments of the Welsh Government Agricultural Division no objections are raised on the basis that the development would result in the loss of grade agricultural land.

Notwithstanding that the development is a minor development in planning terms as the application site is accessed through Y Bryn, there are residential properties in proximity and taking into consideration to the comments of the council's Environmental Services a condition requiring a Construction Environmental Management Plan "CEMP" has been recommended. A CEMP will help safeguard the residential amenity of occupants of adjacent properties in the course of building and other operations.

### **Conclusion**

The principle of developing the application for 6 residential units would appear to have been established since 2007 and it appears that there is an extant planning permission on the application site. Having regard to the development plans and all material considerations the proposal for 9 dwellings is considered acceptable subject to conditions recommended below. As explained in the committee report a separate SAB application will be required in relation to surface water drainage proposals.

### **Recommendation**

That planning permission is GRANTED subject to the completion of a legal agreement requiring the provision of two affordable housing units.

Thereafter that planning permission is granted subject to the following planning conditions:

(01) The development hereby permitted shall be begun before the expiration of (five) years from the date of this permission.

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

(02) The development hereby permitted shall be carried out in strict conformity with the details shown on the approved plans, and contained in the form of application and in any other documents accompanying such application as listed below, unless specified otherwise in any conditions of this planning permission:  
Site Location Plan A-00-02

Site Topographic Survey A-00-01

Proposed Site Layout A-00-03 03

Proposed Plans and Elevations 3 bed Detached Dwelling plots 8 and 9 A-03-01

Proposed Plans and Elevations 3 bed detached dwelling plots 1-5 A-03-05

Proposed plans and elevations for 2/3 bed affordable dwellings plots 6 and 7 A-03-08

Proposed Drainage Arrangement 004820 CCE V1 XX 40:40:01 C 50:30 0001 S1 P02

Ecological Assessment & Reptile Surveys (5th January 2020 (V2) Cambrian Ecology

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

(07) Notwithstanding the landscaping plans hereby approved no development shall commence until plant density numbers are submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accord with the details approved under the provisions of this condition and the landscaping plans hereby approved "Landscaping Scheme".

Reason In the interests of the visual amenities of the area and to secure an ecological enhancement.

(03) If contamination is encountered in the implementation of the development hereby approved it shall be fully assessed in an appropriate remediation scheme which shall be submitted to and approved in writing by the Local Planning Authority. The relevant parts of the application site shall thereafter be remediated in accordance with the scheme of remediation approved under the provisions of this planning condition.

Reason To ensure that any contaminants present have been remediated to safeguard occupants and users of the development.

(04) Notwithstanding the plans hereby approved no development shall take place until 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 proposed development shall be constructed with the approved slab and ground levels.

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

(05) The means of enclosure (including walls and fencing) shown on the plans hereby approved shall be constructed or erected prior to the occupation of the dwelling(s) to which they relate and shall thereafter be retained in the lifetime of the development hereby approved and any replacement means of enclosure shall be to an equivalent specification.

Reason To ensure that the details and appearance of the development are acceptable to the Local Planning Authority and to protect the amenities of the area.

06) No other part of the development hereby approved shall commence until full details of the measures implemented to eradicate "montbretia", which shall be in accord with the options in section 9 of the Ecological Assessment & Reptile Surveys (5th January 2020 (V2) Cambrian Ecology and include a report on the monitoring and the effectiveness of the measures implemented to eradicate "montbretia" has been submitted to and approved in writing by the Local Planning Authority.

Reason To ensure that non-native invasive species are eradicated in accord with the approved details.

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

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

Working hours during the construction

Dirt and dust control measures and mitigation

Noise, vibration and pollution control impacts and mitigation;

Water quality and drainage impacts and mitigation.

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

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

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

(14) 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.

(08) 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 similar species, size and maturity.

Reason In the interests of the visual amenities of the area and biodiversity.

(10)

a) No development (including trial pitting, 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 hereby shall be carried out and all archaeological work completed in strict accordance with the details as may be approved in writing by the Local Planning Authority.

b) A detailed report on the archaeological work, as required by condition 13 (a), shall be submitted to and approved in writing by the Local Planning Authority within twelve 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 2016 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).

(11) The estate road shall be paved to a completed binder course finish and the pedestrian footways shall be finally surfaced, before any of the dwellings hereby approved are occupied.

Reason: In the interests of safety and amenity to ensure there is safe and convenient access to occupied properties.

(12) No dwelling hereby approved shall be occupied until full design details for the lighting of the estate road have been submitted to and approved in writing by the Local Planning Authority and the approved scheme has been implemented in full to the written satisfaction of the Local Planning Authority.

Reason: In the interests of safety and security to ensure there is safe and convenient access to occupied properties.

(13) The car parking accommodation for each dwelling shall be completed in full accordance with the details as shown on the approved drawings before the use hereby permitted is commenced and thereafter retained solely for those purposes.

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

(15) No occupation of the dwellings shall take place until measures are in place to secure the future maintenance of the estate road in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason: To comply with the requirements of the Highway Authority, in the interests of safety and amenity to ensure there is safe and convenient access to occupied properties for the lifetime of the development.

Nid yw'r penderfyniad hwn yn gydsyniad o dan y Ddeddf Priffyrdd na'r Ddeddf Ffyrdd Newydd a Gwaith Stryd a dylai'r ymgeisydd sicrhau y ceir pob cymeradwyaeth priffyrdd angenrheidiol cyn dechrau ar unrhyw waith yn y briffordd neu ar y briffordd.

This decision is not a consent under the Highways Act or New Roads and Street Works Act and the applicant should ensure that all necessary highway approvals are obtained before commencing any work in or on the highway.

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

Application Reference: HHP/2020/253

Applicant: Amos Leisure

Description: Full application for alterations and extensions at

Site Address: Plot H, Lleiniog, Penmon



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

**Recommendation:** Permit

### Reason for Reporting to Committee

The application was called in to the planning committee by Local Member Alun Roberts.

### Proposal and Site

The site is located within the coastal area of outstanding natural beauty in the Penmon area. Local viewpoints of the site are limited to the highway which runs along the east of the site. Access is afforded to the site via a private lane which also serves as access for several other properties and outbuildings. The proposal is made for the conversion of an existing outbuilding to form part of the dwelling along with a small extension to the rear. The dwelling is also Grade II Listed.

## **Key Issues**

The key issues are whether the design of the scheme is considered acceptable in respect of the design and scale of extensions and the location of the site within the Area Of Outstanding Natural Beauty

## **Policies**

### **Joint Local Development Plan**

Policy PCYFF 2: Development Criteria

Policy PCYFF 3: Design and Place Shaping

Technical Advice Note 12: Design (2016)

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

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

## **Response to Consultation and Publicity**

### **Relevant Planning History**

LUE/2020/5 - Application for a Lawful Development Certificate for the existing use of 4 properties as residential dwellings at - Lleiniog Cottages, Penmon, Biwmares/Beaumaris . Approved 20/8/2020

35C203E - Proposed alterations and reinstatement of existing building and associated works and demolition of part of building and erection of two storey extension at Lleiniog, Llangoed. 24/07/2008.

35C203F/LB - Listed building consent for Proposed alterations and reinstatement of existing building and associated works and demolition of part of building and erection of two storey extension at Lleiniog, Llangoed. 22/09/2008

### **Main Planning Considerations**

The design of the property is considered to be in keeping with the surrounding area in consideration of its designation as being within the grounds of a Listed Building. The authority heritage advisor had no objection to the scheme and as the proposal incurs little additional footprint, it is not thought that the scheme would lead to a greater visual impact or be damaging to the appearance/character of the area. The proposal site is located on the south west edge of the outbuilding complex therefore is not considered that the proposal would impact the residential amenity of any surrounding properties and at the time of writing this report no letters of objection had been received. Concern had been raised by the Community Council that works had already begun on the scheme. The agent has confirmed that thus far the works completed have been reroofing works and stonework pointing.

### **Conclusion**

The scheme is considered to be appropriately designed in respect of its Grade II Listed status and its location within the Anglesey Area of Outstanding Natural Beauty and no neighbouring properties will be negatively impacted as a result of the scheme therefore the proposal is recommended for approval.

### **Recommendation**

**(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.**

- **Plot H - Site Plans / 2019-22-203**
- **Plot H - Proposed Floor Plans and Elevations / 2019-22-202 F**

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

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



Planning Committee: 07/07/2021

7.7

Application Reference: FPL/2020/165

Applicant: Amos Leisure

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

Site Address: Outbuilding 1, Lleiniog, Penmon



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

**Recommendation:** Permit

### Reason for Reporting to Committee

At the request of the Local Member - Councillor Alun Roberts. At it's meeting that was held on the 2<sup>nd</sup> June, 2021 Members resolved to carry out a site visit prior to determining the application.

A virtual site inspection was carried out on 16<sup>th</sup> June, 2021 and Members will now be familiar with the site and its setting.

### Proposal and Site

The application is made for the conversion of the outbuilding into a holiday unit together with alterations and extensions thereto at Plot I, Penmon.

The application site is located in the open countryside in a designated Area of Outstanding Natural Beauty. The subject outbuilding is listed by virtue of being a curtilage building located to the rear of the principal Listed Building, Lleiniog Manor.

## **Key Issues**

The key issues are whether the proposal complies with relevant local development plan policies and whether the proposal is acceptable in terms of design and appearance having regard to its listed status and location in a designated Area of Outstanding Natural Beauty..

## **Policies**

### **Joint Local Development Plan**

Strategic Policy PS 5: Sustainable Development  
Strategic Policy PS 4: Sustainable Transport, Development and Accessibility  
Strategic Policy PS 14: The Visitor Economy  
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment  
Strategic Policy PS 20: Preserving and where Appropriate Enhancing Heritage Assets  
Strategic Policy PS 1: Welsh Language and Culture  
Policy TRA 2: Parking Standards  
Policy TRA 4: Managing Transport Impacts  
Policy PCYFF 2: Development Criteria  
Policy PCYFF 3: Design and Place Shaping  
Policy PCYFF 1: Development Boundaries  
Policy TWR 2: Holiday Accommodation  
Policy AMG 1: Area of Outstanding Natural Beauty Management Plans  
Policy AMG 5: Local Biodiversity Conservation  
Policy AT 2: Enabling Development  
Planning Policy Wales (Edition 11, February 2021)  
Technical Advice Note 5: Nature Conservation and Planning (2009)  
Technical Advice Note 12: Design (2016)  
Technical Advice Note 18: Transport (2007)  
Technical Advice Note 23: Economic Development (2014)  
Supplementary Planning Guidance Holiday Accommodation (2007)  
Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)  
Supplementary Planning Guidance - Replacement Dwellings and Conversions in the Countryside (September 2019)

## **Response to Consultation and Publicity**

**Ymgynghorydd Tirwedd / Landscape Advisor:** No response at the time of writing the report.  
**Cynghorydd Carwyn Jones:** No response at the time of writing the report.  
**Cynghorydd Lewis Davies:** No response at the time of writing the report.  
**Cynghorydd Alun Roberts:** Request that the application be referred to the Committee for determination.  
**Cyngor Cymuned Llangoed Community Council:** No response at the time of writing the report.  
**Prifffyrdd a Trafnidiaeth / Highways and Transportation:** No response  
**Cyfoeth Naturiol Cymru / Natural Resources Wales:** Comments/conditions.  
**Ymgynghoriadau Cynllunio YGC:** No comments.  
**Dwr Cymru Welsh Water:** No objection.  
**Ymgynghorydd Ecologol ac Amgylcheddol / Ecological and Environmental Advisor:** Comments/advice.  
**Ymgynghorydd Treftadaeth / Heritage Advisor:** No response at the time of writing the report.

The application was afforded statutory publicity.. This was by the posting of personal notification letter to the occupiers of the neighbouring properties. The latest date for the receipt of representations was the 06/01/2021.

At the time of writing the report no representations had been received.

### **Relevant Planning History**

35C203B - Newid defnydd yr adeilad allanol i defnyddio fel llecyn gwyliau ynghyd a addasu ac ehangu yn / Change of use of existing outbuilding into a holiday cottage together with alterations and extensions thereto at Lleiniog, Llangoed - Gwrthod/Refused 15.01.03

35C203C/LB - Caniatad Adeilad Rhestredig ar gyfer addasu'r adeilad allannol presennol yn / Listed Building Consent for alterations to the existing outbuilding at Lleiniog, Llangoed - Caniatau/Granted 01.10.01

35C203D - Newid defnydd yr adeilad allanol i defnyddio fel llecyn gwyliau ynghyd a addasu ac ehangu yn /Change of use of existing outbuilding into a holiday cottage together with alterations and extensions thereto at Lleiniog, Llangoed - Caniatau/Granted 11.03.04

35C203G - Cais i adnewyddu caniatad cynllunio rhif 35C203D i newydd defnydd adeilad allanol i defnydd gwyliau ac addasu ace ehangu yn / Renewal of permission ref 35C203D for change of use of existing outbuilding into a holiday cottage and alterations and extensions at Lleiniog, Llangoed - Caniatau/Granted 20.07.11

35C203H/LB - Caniatad Adeilad Rhestredig ar gyfer newid defnydd yr adeilad allannol i ddefnydd gwyliau ynghyd a'i addasu a'i ehangu wedi ei ganiatau gynt dan caniatad cynllunio rhif 35C203C\LB yn/ Listed Building Consent for the change of use of outbuilding into a holiday cottage together with alterations and extensions thereto previously approved under planning permission ref 35C203C\LB at Lleiniog, Llangoed - Caniatau/Granted 04.02.11

LBC/2020/17 - Caniatad Adeilad Rhestredig ar gyfer trosi yr adeilad allanol i fod yn uned gwyliau yn / Listed Building Consent for the conversion of outbuilding into holiday let at Bwthyn Lleiniog, Penmon - Caniatau/Granted 21.01.2021

SCR/2020/48 - Barn sgrinio ar gyfer newid defnydd yr adeilad allanol i llety gwyliau ynghyd a'i addasu ac ehangu yn / Screening opinion for the conversion of an outbuilding into a holiday unit together with alterations and extensions thereto at Bwthyn Lleiniog, Penmon - Dim Angen AEA / EIA Not Required - 29.09.20

### **Main Planning Considerations**

The principle of the conversion of outbuildings into holiday accommodation is established under policy TWR 2 of the Joint Local Development Plan. This policy presents criteria for proposals to comply with as following:

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

It is considered the proposal complies with the above criteria - it makes use of a suitable previously developed site; is appropriate in scale, and will not significantly harm the residential character of the area.

Strategic Policy PS4 of the JLDP relates to sustainable transport, development and accessibility and requires that development will be located so as to minimise the need to travel.

Strategic Policy PS5 of the JLDP relates to sustainable development and states that development will be supported where it is demonstrated that they are consistent with the principles of sustainable development.

Criterion 2 gives priority to the effective use of land and infrastructure, prioritising wherever possible the reuse of previously developed land and buildings within the development boundaries or in the most appropriate places outside them in accordance with strategic policies PS17, PS13 and PS14.

Criterion 12 requires that proposals reduce the need to travel by private transport and encourage the opportunities for all users to travel when required as often as possible by means of alternative modes, placing particular emphasis on walking, cycling and using public transport in accordance with strategic policy PS4.

Although proposals necessitating the use of private vehicles are not prohibited through the JLDP, Policy PS 5 promotes the application of sustainable development principles in all new developments, including directing development towards the most appropriate locations and reducing the need to travel by private transport.

Technical Advice Note 18: Transport states at 3.2 that where a development proposal is assessed as having relatively poor accessibility this may be sufficient grounds to refuse planning permission where this does not support the accessibility objectives set out in the development plan.

Paragraph 3.11 of TAN 18 states that development in rural locations should embody sustainability principles, balancing the need to support the rural economy, whilst maintaining and enhancing the environmental, social and cultural quality of rural areas. Most development should be located in places accessible by a range of travel modes.

The nearest bus stop is some 0.3km away from the proposal site and the nearest settlements with some level of services are Llangoed, 2.5km away and Beaumaris, 4.5km away. The site is also close to the Wales Coast path and other public rights of way which provide good connectivity with nearby settlements and the wider coast and countryside.

The site is therefore reasonably well located in terms of access to public transport, services and facilities and any concerns there may be in this regard would be outweighed by virtue of the fact that the proposal will bring an existing building back into use and therefore preserve and enhance a listed building.

Design is a primary consideration for the proposal in consideration of its siting within the Anglesey Coastal Area of Outstanding Natural Beauty and also within consideration of its Listed status. The proposal is relatively well screened from the public highway which lessens the potential for any visual impacts to the wider area. The subservient nature of the extension in terms of design and scale is considered to conserve the natural beauty of the area as is required by policy AMG 1 and also is to the satisfaction of the local authority Heritage advisor in terms of its congruity with the existing building and the other Heritage assets on site.

## **Conclusion**

The proposal will ensure the preservation of a heritage asset and will also contribute positively to the island's tourism sector. Approval is therefore recommended for the scheme.

## **Recommendation**

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

Reason: To define the scope of this permission.

**(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;**

**(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.

**(04) The access shall be laid out and constructed strictly in accordance with the submitted plan, Drawing No. 120-20-2 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 order to minimise danger, obstruction and inconvenience to users of the highway and of the access.

**(05) 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/Block Plan: 2019-22-40
- Plot B Site Plan: 2019-22-42 Rev A
- Plot B Proposed Floor Plans and Elevations: 2019-22-41 Rev C
- Proposed Visibility Splays: 120-20-2
- Structural Report, Datrys, July 2019
- Heritage Impact Assessment, Cadnant Planning, September 2020
- Preliminary Ecological Appraisal Report, WEDC, August 2019
- Bat Hibernation Survey Report, WEDC, January 2020

- **Protected Species Survey, Version 3, York Associates Ecological Consultants, December 2020**

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

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PS1, PS4, PS5, PS14, PS19, PS20, TRA2, TRA4, PCYFF1, PCYFF2, PCYFF3, TWR2, AMG1, AMG5, AT2.

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.