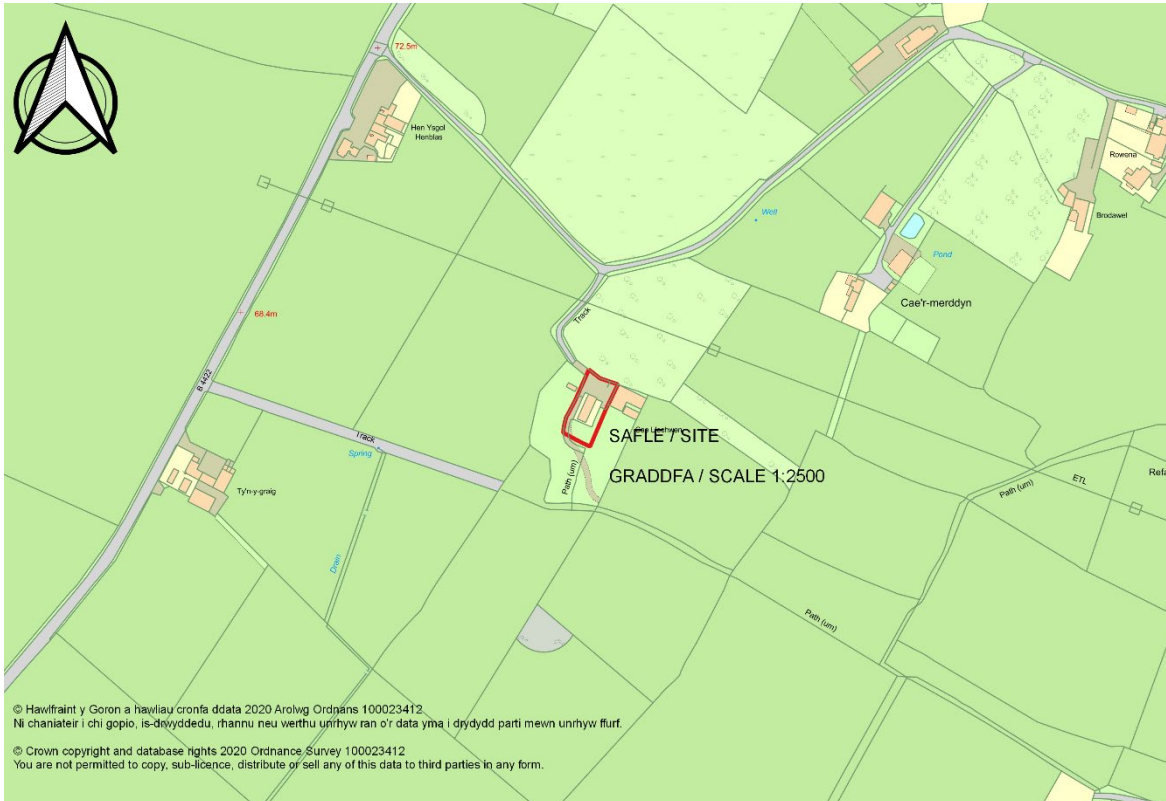


Application Reference: FPL/2021/56

Applicant: Mr. Gwilym Rowlands

Description: Full application for an extension to the dwelling, the creation of an annexe, an extension to the curtilage and a diversion of a public footpath at

Site Address: Cae Llechwen, Llangristiolus, Bodorgan



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

Recommendation: Refuse

Reason for Reporting to Committee

The planning application has been called into the Planning and Orders Committee by the Local Member as the proposal fits into the area without having a negative impact upon the area or any neighbouring property.

Proposal and Site

This is a full application for an extension to the dwelling, the creation of an annexe, an extension to the curtilage and a diversion of a public footpath at Cae Llechwen, Llangristiolus.

Key Issues

The key issue is whether the development complies with policies of the Joint Local Development Plan.

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 AMG 2: Special Landscape Areas

Strategic Policy PS 4: Sustainable Transport, Development and Accessibility

Policy TRA 2: Parking Standards

Policy TRA 4: Managing Transport Impacts

Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment

Policy AMG 5: Local Biodiversity Conservation

Response to Consultation and Publicity

Consultee	Response
Swyddog Hawliau Tramwy Cyhoeddus/ Public Rights of Way Officer	The Footpath Officer is satisfied with the diversion of the public right of way. The applicant will need to complete a S257 'Diversion of Public Footpaths and Bridleway' Application with the Highways Authority.
Cynghorydd Eric Wyn Jones	Requested that the application be determined by the Planning and Orders Committee as the development fits into the area without having a negative impact upon the area or any neighbouring property.
Cynghorydd Dafydd Roberts	No response
Cyngor Cymuned Llangristiolus Community Council	No response
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Conditional Approval
Dwr Cymru Welsh Water	Standard comments
Priffyrdd a Trafnidiaeth / Highways and Transportation	No objection
Ymgynghorydd Tirwedd / Landscape Advisor	Standard Comments
Cyfoeth Naturiol Cymru / Natural Resources Wales	No response

The proposal has been advertised through the posting of a notice on site together with the distribution of personal letters of notification to the occupiers of neighbouring properties. A notice was also placed within the local newspaper. The latest date for the receipt of any representation was the 1/7/21. At the time of writing this report, no letter of representation had been received at the department.

Relevant Planning History

FPL/2020/268 - Full application for alterations and extension to the existing dwelling, creation of an annex together with an extension to the curtilage at - Cae Llechwen , Llangristiolus - Tynnwyd yn ôl / Withdrawn

Main Planning Considerations

Proposal

This is a full application for an extension to the dwelling, the creation of an annexe, an extension to the curtilage and a diversion of a public footpath at Cae Llechwen, Llangristiolus.

The existing property is a single storey cottage with a pitched roof. The proposal involves the erection of a large 2 storey extension to the main dwelling which consists of a large kitchen/dining room, sun room, pantry, family room, bedroom and en-suite, cloakroom, utility and study on the ground floor and a further 2 bedrooms and a bathroom on the first floor.

The description for the application states that the application is for extensions to the existing dwelling and the creation of an annexe; however, the extension is clearly of the scale of a new dwelling and it is the intention of the applicant to move from Rhostrehwfa to Cae Llechwen to continue with the running of the farm.

Paragraph 4.1 of the Design and Access statement states 'We propose to create one new dwelling and an Annexe' The design and access statement continues to state that the existing cottage is occupied by Mr Rowland's mother who has been running the farm until the last few years. The applicants live in Rhostrehwfa but need to attend to livestock on the farm.

It is assumed that the applicant's mother would continue to reside in the existing cottage and the applicant would live in the self-contained new extension proposed to the side of the existing cottage.

The application site is located in an open countryside location where new development is strictly controlled. Policy PCYFF1 clearly states:- 'Outside the development boundaries development will be resisted unless it is in accordance with specific policies in this Plan or national planning policies or that the proposal demonstrates that its location in the countryside is essential'.

Paragraph 6.2.3 states that 'The remainder of the Plan area which is outside the Development Boundaries are subject to more control and are mainly restricted to developments which require a location in the countryside or that meet a local rural need, support rural diversification or sustainability of the countryside'.

The existing dwelling has a floor area of 93.81 square metres whilst the proposed extension will have a floor area of approximately 185.23 square metres. The scale of the proposal and the level of accommodation within the extension is more akin to the erection of a new dwelling rather than an extension to the main dwelling. The proposal is not sub-servient to the main dwelling and the extension would have all the necessary facilities for independent living. The intention is to move the applicant's family from Rhostrehwfa to Cae Llechwen. As stated above, this is an open countryside location where development is strictly controlled. The erection of new residential dwellings will be refused in these locations unless they meet the exemptions for rural enterprise dwellings.

If the applicant wishes to take over the running of the existing farm and meets policy requirements, consideration should be given to submitting a planning application for an Agricultural workers dwelling under Technical Advice Note 6 Planning for Sustainable Rural Communities.

Special Landscape Area

The application site is within the Special Landscape Area (SLA) Malltraeth March and Surrounds. It is not considered that the proposal would adversely affect the special qualities or the character of the SLA.

Ecology

A Protected Species Survey was submitted with the planning application and no evidence of bats was found. The proposal includes the installation of two midi bat boxes on the South elevation and further landscaping work is proposed.

Affect on residential properties

There are no immediate neighbours close to the site and it is not considered that the proposal would have a negative impact upon any existing residential properties.

Highways

No response has been received by the Highways Authority; however, during the previous planning application that was withdrawn, the Highways Officer confirmed that there was no objection to the proposal on Highway grounds.

Footpath

There is an existing footpath that crosses the application site. The Footpath Officer has confirmed that the footpath would need to be diverted. This would be subject to approval of the Public Right of Way officer.

Conclusion

The proposal is located in an open countryside location where inappropriate development is strictly controlled. The proposal is not considered to be sub-servient to the main dwelling and is more akin to the erection of a new dwelling rather than an extension to the main dwelling. The proposal is therefore contrary to the provisions of Policy PCYFF1 of the Joint Local Development Plan.

Recommendation

(01) The Local Planning Authority considers that due to the size, scale and facilities proposed to be provided by the development it would amount to the erection of a new dwelling in the countryside for which no long term need is known to exist to serve a rural enterprise worker. The development is therefore contrary to Policy PCYFF1 of the Joint Local Development Plan as well as the advice contained within Planning Policy Wales (Edition 11) and Technical Advice Note 6.

undertaken in a single phase. The sea wall will be approximately 2 meters wide along approximately 50 meters of the coast. The developer proposes to use the nearby public car park as a compound during the construction works.

The application site is located with the designated Special Area of Conservation (SAC), the Anglesey Area of Outstanding Natural Beauty (AONB) Site of Special Scientific Interest (SSSI) and within a Schedule Monument Boundary. The site is also lies within the Anglesey Coastal Management Area and with the C2 Flood Zone. The Wales Costal Path adjoins the application site.

Key Issues

The key issues are whether or not the development is acceptable in terms of its impact character and appearance of the area, AONB and will have a detrimental negative impact upon the SAC, SSSI and Schedule Ancient Monument.

Policies

Joint Local Development Plan

Policy PCYFF 2: Development Criteria
 Policy PCYFF 4: Design and Landscaping
 Policy PCYFF 3: Design and Place Shaping
 Policy ARNA 1: Coastal Change Management Area
 Strategic Policy PS 1: Welsh Language and Culture
 Strategic Policy PS 3: Information and Communications Technology
 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
 Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
 Policy AMG 1: Area of Outstanding Natural Beauty Management Plans
 Policy AMG 3: Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character
 Policy AMG 4: Coastal Protection
 Policy AMG 5: Local Biodiversity Conservation
 Strategic Policy PS 20: Preserving and where Appropriate Enhancing Heritage Assets

Response to Consultation and Publicity

Consultee	Response
Ymgynghorydd Tirwedd / Landscape Advisor	No Objection
Cyfoeth Naturiol Cymru / Natural Resources Wales	Conditional Approval
Cyngor Cymuned Llangoed Community Council	Concerns regarding the environment and the use of the car park as a compound
Cynghorydd Alun Roberts	Referred the application to the Planning and Orders Committee
Cynghorydd Lewis Davies	No Response
Cynghorydd Carwyn Jones	Referred the application to the Planning and Orders Committee
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	No Objection

Priffyrdd a Trafnidiaeth / Highways and Transportation	No Objection
Ymgynghorydd Treftadaeth / Heritage Advisor	No Objection
Iechyd yr Amgylchedd / Environmental Health	Conditional Approval
Swyddog Hawliau Tramwy Cyhoeddus/ Public Rights of Way Officer	No Objection
Crown Marine Estate	No Objection
Cadw Scheduled Monuments	No Objection

The proposal was advertised with the posting of notifications to adjacent properties. The expiration date in order to provide representations was the 17/03/2021.

Nine letters of representations was received as a result of the publicity afforded to the application. The main points raised are summarised below:

- Concerns that the proposed sea defence would lead to further sea defences along the coast.
- The works would have an impact upon the use of the public car park.
- Essential that the public footpath is maintained and remains open.
- Concerns regarding the impact upon the AONB, SAC and SSSI

Rocks have previously been deposited at the application site.

Relevant Planning History

FPL/2019/196 - Cais llawn ar gyfer tynnu rhan o'r morglawdd concriid presennol a chodi morglawdd newydd yn ei le ar y ffin yn / Full application for the part removal of the existing concrete sea defence wall and the erection of a replacement sea defence wall in its place on the boundary of - Cerrig, Penmon Tynnwyd yn ôl / Withdrawn

SCR/2019/44 - Barn sgrinio ar gyfer tynnu rhan o'r morglawdd concriid presennol a chodi morglawdd newydd yn ei le ar y ffin yn / Screening opinion for the part removal of the existing concrete sea defence wall and the erection of a replacement sea defence wall in its place on the boundary of - Cerrig, Penmon - Dim Angen AEA / EIA Not Required

Main Planning Considerations

Principle of the Proposed Development:

When considering such coastal developments specific reference should be given to the guidance provided in Policy AMG 4: Coastal protection. Due to the nature of the proposed development the proposal would satisfy the first criteria of the policy. Consideration should therefore be given to the second part of the policy which specifies that the development shouldn't have an unacceptable impact on:-

i. water quality

ii. public access consideration

iii. the built environment, or the landscape or seascape character

iv. The area's biodiversity interest (including European protected Areas such as marine Special Areas of Conservation and special protected Areas) due to their location, scale, form, appearance, materials, noise, or emissions or due to an unacceptable increase traffic."

Further criteria 5 of the policy states the requirement for the proposal to be consistent with other policies contained within the plan, specifically policy ARNA 1.

In reference to Policy ARNA 1, the site lies within Coastal Area F (Menai Strait and Conwy), Policy Development Zone 16 of the West of Wales Shoreline Management Plan 2 (November 2011). The overarching policy for the Beaumaris to Black Point section of PDZ16 is to 'Selectively Hold The Line', but

the specific Policy Plan for the site (PU16.25) is for 'No Active Intervention' (NAI) for all three epochs (2025, 2055 and 2105).

Due to the proposed developments location within the Coastal Change Management Area, careful consideration will have to be given to the guidance provided within Policy ARNA 1 (Coastal Change Management Areas) of the Joint Local Development Plan. Policy ARNA 1 under the heading 'New or Replacement Coastal Defence Scheme' states:-

"Proposals for new or replacement coastal defence schemes will only be permitted where it can be demonstrated that the works are consistent with the management approach for the frontage presented in the Shoreline Management Plan, and there will be no material adverse impact on the environment."

Due to the policy approach for the area being No Active Intervention, the proposed development would not accord with the management approach as set out within the Shoreline Management Plan. Natural Resources for Wales have recommended that the applicant discusses the scheme with the Local Authority in terms of seeking a sponsor to change the plan level policy for the stretch of coast under consideration. The applicant may need to apply for a policy change by informing the Local Authority and discussing a change from NAI to Hold The Line (HTL).

The paragraph below is included in the NAI policy description for the coastline to the east of Penmon in the Shoreline Management Plan (PDZ 16, page 44):

From where the road cuts in land, along the coast running to the east to Penmon, the policy would be for No Active Intervention, supporting the important natural values of the coastline. There are local private defences and there is some protection locally to the road. These defences might be maintained and there might be local management subject to normal approvals and subject to no significant impact on the natural development of the shoreline.

In view of this, it is considered that the plan does not conflict with the intention of the policy and that there is no need for the developer to seek to change the policy. The developer has demonstrated that there are no unacceptable environmental impacts associated with the plan throughout its lifetime, and so there is an obvious link with the environmental assessment submitted as part of the current application. The proposed development will also be privately funded and does not form part of the public or national defence works.

Landscape and Visual Effects:

The application site is located within the Area of Outstanding Natural Beauty (AONB). The site is on the coastal edge and adjoins the Wales Coastal Path.

The existing sea defence is a mix of concrete and stone wall with a damaged concrete haunch/apron, and rock armour as further protection. To the south-west there is an eroded cliff and to the north east rock gabions. Public views are from the Wales Coast Path and an inharmonious mix of concrete steps, walling and fencing which have weathered / discoloured. There is access to the foreshore when the tide is out but this is not part of the Wales Coast Path.

As previously noted, the works proposed entail replacement of the concrete haunch/apron for part of the sea wall defence, the removal and replacement and addition of rock. Over a 50 metres coastal section, these would not exceed the apron in size. Some repointing is proposed to the existing wall (a combination of mortared / pointed wall and concrete sections). The reinstated apron would appear larger than existing which is partly hidden by the armour or a mix of sloping and flat section and unlikely to be disguised completely by the rock armour. However, much of this would be invisible from the Wales Coast Path but would be visible to walkers along the foreshore and to a minor extent by sea borne traffic only.

Due to the exposed location of the application site, it is considered that the rocks and concrete which will be weathered / discoloured in the short to medium term. It does not appear that there would be a noticeable reduction of effects through colouration of concrete or pointing mortar.

It is considered that the works proposed would have a neutral effect on natural beauty, AONB features or special qualities related to landscape. The appearance (design and materials) of the proposed sea defence works would be compatible with the existing structure and surroundings and not significantly exceed it in scale.

Biodiversity & Ecology:

The application site is part of the Fenai a Bae Coney / Mean Strait and Conwy Bay Special Area of Conservation (SAC) and the Glannau Penmon – Biwmares Site of Special Scientific Interest (SSSI)

A Statement to Inform Habitat Regulations Appropriate Assessment and Construction Environmental Management Plan has been submitted as part of the application. These documents have outlined the impact the proposed development would have upon the local environment including mitigation measures being proposed as part of the development.

A Habitat Regulations Assessment has been undertaken by Natural Resources for Wales who have concluded that it is not likely that the proposed development will have significant effect upon the nearby designated areas with which the local planning authority concurs. Conditions will be attached any permission to safeguard against the SAC and SSSI.

Schedule Ancient Monument:

The application area is immediately adjacent to the boundary of scheduled monument AN142 Aberlleiniog Fish Weir I. The monument consists of the well-preserved remains of a post-medieval fish weir. It is rectilinear and defined by spread banks of stone. The inner wall runs at 90 degrees to the shore and is some 300m long. It comprises a stone bank some 8.0m wide and 0.2 m high with a well-defined line of stones along the top standing up to 0.4m in height. The outer wall runs to the south-west at a right angle and is some 220m in length.

CADW together with Gwynedd Archaeology Planning Service (GAPS) have been consulted as part of the application. CADW initially raised concerns that accidental damage may be caused to the scheduled monument during the proposed works by the movement of vehicles along the beach and also the possibility that rock armour could be stockpiled on the scheduled monument.

Although construction vehicular movement together with temporary stockpiling of Rock Armour will be within the Schedule Monument Boundary, the extent of the works does not cross the Schedule Monument Structure. Following receiving further details including a Construction Environmental Protection Plan which details mitigation measures being proposed to safeguard the scheduled monument, CADW together with GAPS are satisfied that the proposed development will not have a detrimental impact upon the Historic Asset.

Amenity:

The impact the development might have upon the residential amenity upon the surrounding properties and area is a key issue in the determination of the current proposal.

Other than Cerrig, the nearest residential properties are located to the north of the application site at the Pines. Other residential properties are located to the west across the main highway. Given the scale, location and distance from the development to these properties, it is not considered that the proposal will have any adverse impact upon residential amenity. A condition will be attached to any permission mitigating the impacts during the construction phase.

Flood Risk:

As previously noted the site lies within the C2 flood zone, therefore consideration needs to be given to the proposals conformity with Technical Advice Note 15: Development and Flood Risk. Due to the nature of the proposed development and its unavoidable coastal location, the proposed development is considered an exception to the first part of the justification test in section 6 of TAN 15, however consideration should be given to the acceptability of consequences of the test as outlined in section 7.

In accordance with section 7 of the TAN, whether a development should proceed or not will depend upon whether the consequences of flooding of that development can be managed down to a level which is acceptable for the nature/type of development being proposed, including its effects on existing development.

Natural Resources Wales have assessed the application and raised no objection, however has advised that the contractor should ensure that a suitable flood / environmental action plan is prepared.

Reasonable avoidance measures should be prepared detailing how the construction works are to be managed to safeguard both contractors and plant along with the environmental risks should high spring tides occur during storm conditions and flood the working area.

Highway and Site Compound:

The Local Highways Authority have assessed the application and have not raised any concerns with respect to highway safety.

Access for the proposed works will be from the Lleiniog Beach Picnic Site, located some 200m southwest of the application area. The Local Authority owned car park will be used as a compound during the construction works. As part of any permission a Grampian condition will be imposed in order that the compound will be operational prior any works being commenced on the proposed development.

The Wales Coastal Path is located to the north of the application site. The path cuts inland immediately before the application site and therefore will not cross the site without the need for a diversion.

Conclusion

Detailed consideration to the professional consultees comments has been given due consideration. It is not considered that the proposed development would have a negative impact upon the sensitive designations.

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 - 9317-SK-04A**
- **Detailed Plan Showing Footprint of Permanent works in relation to SAC boundary - EEL.7612.D03.001**
- **Sea Wall Protection Scheme - 9317-003 Rev P2**
- **Outline Method Statement - CSD-EWP-XX-ZZ-MS-Y-001**
- **Water Framework Directive Assessment**
- **Construction Environment Management Plan - EEL.76.R03.003**
- **Statement to Inform Habitat Regulations Appropriate Assessment - EEL.7612.R03.001**
- **Assessment of Coastal Squeeze - EEL.76.R03.002**

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

(03) Construction works shall only be carried out between the hours of 08:00 - 18:00 Monday to Friday and 08:00 – 13:00 on Saturday. No works shall be carried out on Sunday or Bank Holidays.

Reason: In the interest of residential amenity

(04) No development shall commence until a compound as detailed within the Construction Environmental Management Plan is made available for use.

Reason: In the interest of highway safety and to safeguard the environment

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.