

Application Reference: FPL/2019/338

Applicant: Mr. Alan Hodari

Description: 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

Site Address: Cerrig, Penmon



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

Recommendation: Permit

Reason for Reporting to Committee

At the request of the Local Members – Carwyn Elias Jones and Alun Roberts

At the committee meeting held on the 7th July, 2021, it was resolved that a site visit was required. A virtual site visit has been undertaken, therefore Members are now aware of the site and its settings.

Proposal and Site

The proposal is to repair and reinforce the retaining boundary sea wall between the property known as 'Cerrig', Penmon and the Menai Straits.

The proposed works comprise the removal and replacement of an existing concrete plinth which forms part of the boundary sea wall and its' replacement by a new steel reinforced concrete plinth. The current plinth is protected by "rock armour" located on its' seaward side. This will be removed during the construction works and replaced in a similar position at the end of the works. The works will be 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 Coastal 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
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
Cynghorydd Carwyn Jones	Referred the application to the Planning and Orders Committee
Cynghorydd Lewis Davies	No Response
Cynghorydd Alun Roberts	Referred the application to the Planning and Orders Committee
Cyngor Cymuned Llangoed Community Council	Concerns regarding the environment and the use of the car park as a compound
Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service	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 Conwy / Menai 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. 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 thereby negating the need for a diversion.

Conclusion

The application has been thoroughly assessed with detailed consideration to the professional consultees comments. 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
- Construction Traffic Management Plan - EWP June 2021

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.

Application Reference: FPL/2020/165

Applicant: Amos Leisure

Description: Full application for the conversion of outbuilding into holiday let together with the felling of 3 trees protected by a tree preservation order and replacement planting in lieu 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.

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.

The application was deferred at the planning committee dated 07/07/2021 whilst the planning department were awaiting amended plans to demonstrate the compensatory planting required consequent of the proposed removal of 3 trees which are currently protected by a tree preservation order. The amended plans were received on the 07/07/2021 and subsequently amended consultations and neighbourhood notifications were issued, the latest date for representations to be made in response to which is the 29/07/2021.

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)
Supplementary Planning Guidance - Tourism Accommodation and Facilities (2021)

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.
Priffyrdd a Trawnidiaeth / 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 Ecolegol 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 letters 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 allanol 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 ac 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 allanol 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 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 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 given 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.

To the rear of the building in close proximity to the footprint of the proposed extension is located 3 trees which are currently protected by a tree preservation order. Due to this close proximity there is a high likelihood that the health of the trees would be negatively impacted by the proposal and therefore it was agreed with the Local Authority Landscape advisor that the most appropriate solution was to fell the trees and plant another 3 trees in compensation. Amended plans have been received which demonstrate these proposed changes.

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) No development shall commence on the remainder of the development until the access has been laid out and constructed strictly in accordance with the submitted plan under FPL/2020/164 (Drawing No. 120-20-2) 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.

(06) 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 I - Site Plans / 2019-22-57 Rev C**
- **Plot I - Proposed Floor Plans and Elevations / 2019-22-56 Rev I**

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.

Application Reference: VAR/2021/27

Applicant: Mr. William Morris

Description: 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

Site Address: Christ Church, Rhosybol, Amlwch



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

Recommendation: Permit

Reason for Reporting to Committee

The planning application has been called into the Planning and Orders Committee by the Local Member due to highway issues and impact on the landscape surrounding the church.

At the meeting held on the 2nd June 2021, members resolved to visit the site. The site visit took place on the 16th June, 2021 and members will now be familiar with the site.

The application was deferred at the meeting held on the 7th July 2021 as an amended plan had been received and the neighbour notification period had not expired. To allow sufficient time for neighbours to

make comments it was agreed to present the planning application to the 28th July planning committee for consideration.

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 in the interests of highway safety.

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.
Cynghorydd Aled Morris Jones	

The application was advertised by the distribution of letters to neighbouring properties. The expiry date to receive representations being the 22nd July, 2021. At the time of writing the report 8 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. Part of the access wall on the West will need to be removed and re-built to ensure that there is sufficient space to manoeuvre from

within the site. 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 - fccr10a/002 - Submitted with planning application FPL/2019/322**
- **Floor Plans and Elevations - fccr10a/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.