

**Application Reference:** FPL/2021/92

**Applicant:** Mr Margaret Thomas

**Description:** Full application for the erection of new agricultural building for storage and lambing on land near

**Site Address:** Graianbwl, Llanddaniel,



## Report of Head of Regulation and Economic Development Service (Owain Rowlands)

**Recommendation:** Permit

### Reason for Reporting to Committee

The application is presented to the Committee on the request of the Local Member

### Proposal and Site

The application is for the erection of a new agricultural building for storage and lambing on land near Graianbwl, Llanddaniel.

## Key Issues

The key issue is whether the proposal complies with current policies, whether or not the proposed scheme is acceptable in this location and whether the proposal will have an adverse effect on the surrounding landscape, and the effect on neighbouring properties.

## Policies

### Joint Local Development Plan

Policy PCYFF 2: Development Criteria  
Policy PCYFF 3: Design and Place Shaping  
Policy PCYFF 4: Design and Landscaping  
Technical Advice Note 6: Planning for Sustainable Rural Communities (2010)  
Planning Policy Wales (11<sup>th</sup> edition)

### Response to Consultation and Publicity

| Consultee                                                                    | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| Cynghorydd Eric Wyn Jones                                                    | No response at the time of writing the report.                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Cynghorydd Dafydd Roberts                                                    | Requested that the application be presented to the Planning Committee for consideration.                                                                                                                                                                                                                                                                                                                                                                                                      |
| Cyngor Cymuned Llanddaniel Fab Community Council                             | Application discussed in a meeting on 26/04/21. Chairman of Community Council called a special meeting on 10/05/21 but wasn't present. Lack of agreement between members – some with no objections, others concerned with location of shed.                                                                                                                                                                                                                                                   |
| Prifffyrdd a Trafnidiaeth / Highways and Transportation                      | No objections to the application from a highways perspective.                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Ymgynghorydd Tirwedd / Landscape Advisor                                     | Site is locally low lying, and not within a designated landscape. There are a number of ash trees within the hedge that provide some screening, along with some additional planting which is proposed. Appears to comply with PCYFF 3 and PCYFF 4. The building uses a partially screened location and is the preferable location on site in terms of topography. Proposed that two conditions were added, to require additional landscaping, in order to achieve better long-term enclosure. |
| Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor | Proposed length of new hazel hedge would be acceptable for biodiversity gain. Requested that plans were updated to state planting details & stock proof fence around new planting.                                                                                                                                                                                                                                                                                                            |
| Iechyd yr Amgylchedd / Environmental Health                                  | 1st Response: No objections and standard comments.<br><br>2nd Response (after forwarding objections): No objections – location is rural and in close proximity to an existing farm.                                                                                                                                                                                                                                                                                                           |

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|                                                                             | 3rd Response (focusing on issue of smell): Still no concerns that this development would cause a Statutory Nuisance. Character of the neighbourhood (which is a major component in their decision-making) appears to be quite rural with existing livestock. Existing animals in surrounding fields comes with associated noise and smell. |
| Cyfoeth Naturiol Cymru / Natural Resources Wales                            | No objections and standard comments.                                                                                                                                                                                                                                                                                                       |
| Dwr Cymru/Welsh Water                                                       | No objections and standard comments.                                                                                                                                                                                                                                                                                                       |
| Gwasanaeth Cynllunio Archeolegol Gwynedd<br>Archaeological Planning Service | No comment regarding the development.                                                                                                                                                                                                                                                                                                      |
| Draenio Gwynedd / Gwynedd Drainage                                          | General advice for applicant                                                                                                                                                                                                                                                                                                               |

### Publicity:

The proposal was advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of representations was the 21<sup>st</sup> May, 2021. At the time of writing the report 6 letters had been received objecting to the proposal.

The main reasons for objecting as follows:-

- a.) No site notice placed in the vicinity of the development
- b.) Area suffers from serious water and drainage problems
- c.) Hobby farming doesn't require a shed
- d.) Shed will ruin the view
- e.) Unsuitable access
- f.) No need for such a building
- g.) Outside of the development boundary
- h.) Will create noise, smell and other disturbances
- i.) Shed would be in an isolated location
- j.) Will create additional traffic

In response to the main reasons for objecting:-

- a.) Site notices are not required for every application. Neighbours in close proximity were notified of the development via personal letters.
- b.) The relevant authorities (NRW, Drainage, Welsh Water) had no objections to the development and didn't raise any of these issues. The site is not in a flood risk area.
- c.) Applicant has clearly demonstrated the need for this agricultural shed.
- d.) Shed not considered in close enough proximity to have a direct impact on any view. Due to low-lying location, views from surrounding properties will be over the shed rather than directly towards it. The impacts on private views are not sufficient in themselves to influence the decision based on the planning merits of the proposal.
- e.) No objections from the highways department.
- f.) The building is much in need for the health and welfare of the animals and the safe storage of machinery.
- g.) The site is located outside the settlement boundary but is for agricultural purposes where such development is permitted.
- h.) These are issues that were passed onto Environmental Health, who stated no objections on 3 occasions.
- i.) Shed is in an acceptable location within the applicants' ownership. Landscaping condition will ensure greater screening from all angles.
- j.) No objections from the highways department.

## Relevant Planning History

No relevant planning history on the site

## Main Planning Considerations

**Setting:** The proposed agricultural shed will be located to the East of the existing backdrop of trees. The site lies outside the development boundary of Llanddaniel and is therefore considered an open countryside location.

The nearest properties are located approximately 110m and 140m to the West, and 180m to the East of the proposed shed, and therefore it is not considered that the development will have a detrimental impact on the amenities of the neighbouring properties to such a degree as to warrant the refusal of the application.

**Location:** The applicant has identified the proposed site as the most appropriate and best location for the agricultural shed. The proposal entails the erection of a new agricultural shed, which will stand alone in one of the fields belonging to the applicant.

The proposed site is located in a low-lying location, with hills coming up/down from both directions. Given the location, the current screening and the additional screening to be conditioned, the visual impacts are perceived to be minimal.

**Design:** The proposed building is a typical modern agricultural building consisting of walls and green profile sheeting. The shed will be approximately 24m x 12m, with a height of 6.4m. The material colour of choice will be juniper green, allowing easier integration into the landscape. The shed is designed to provide the sheep with adequate space, comfort, and ventilation to meet with international standards of welfare.

**Justification:** The shed will primarily be used for lambing purposes, along with safe storage of implements, feed and machinery. Farming outdoors during the harsh winter months has led to the applicant witnessing a higher than average mortality rate among his new-born lambs. The erection of a shed would allow the sheep and lambs to be indoor, sheltered away from the cold & wet conditions, which would lead to a higher survival rate, having a positive impact on the business.

Further justification for the shed, are stated by applicant to be:

- Storage of animal feed, hay, straw, farming equipment, tractor etc.
- My tractor has been vandalised a couple of times, windows have been smashed, wires ripped out.
- I have sheep hurdles and a turnover create, which is valuable, and are kept in the pen, which is by the side of the road, which is at risk of being stolen.
- A shed would allow me to be able to look after the stock and I would be able to spot any health problems much sooner over the winter months.
- Having a shed would help the fields recover and have more grass by the spring.

**Mitigation:** The mitigation is important in this instance, to further reduce the visual impact of the shed. There is already a row of trees on the West side of the proposed shed, but both the Landscape Advisor and Ecological Advisor recognized the need for additional mitigation.

At the request of the Ecological Advisor, hazel trees will be planted on the South elevation of the shed, which will somewhat reduce any localised visual impact from the adjoining highway.

On the request of the Landscape Advisor, a condition has been added to the consent to require additional landscaping to that proposed, in order to achieve better long-term enclosure from the primary public viewpoints and to address plant health problems likely through ash-dieback. This will not wholly screen the building in the short or long-term, but will assist in minimising localised low-level views.

## **Policies:**

*Policy PCYFF 2* states that all proposals should make the most efficient use of land, and should not create an adverse impact on the amenity of surrounding areas. It is considered that the proposed shed is in the most efficient location within the curtilage. Following several consultations, no major issues were raised, and it is considered that the proposal will not create adverse impacts on the local amenities.

*Policy PCYFF 3* notes that all proposals should demonstrate high quality design that should fully take into account the built environment context, using materials appropriate to its surroundings. Additionally, all proposals should respect the context of the site within the local landscape. The proposed agricultural shed is to be designed to high standards, using the material colour juniper green to ensure that it integrates into the surrounding area. The proposal is considered to respect the context of the site, as the proposed location is the best scenario within the curtilage, and the additional landscaping will create justifiable screening to reduce visual impact.

*Policy PCYFF 4* states that all proposals should consider landscaping as part of the design process, and should integrate into their surroundings. The screening currently proposed would somewhat reduce the visual impact, but with the conditions in place for a greater landscaping scheme, it will ensure that the proposal will be screened to a greater extent, allowing it to better integrate into the surroundings.

*Planning Policy Wales (11<sup>th</sup> edition)*

*5.6.8 Planning authorities should adopt a constructive approach towards agricultural development proposals, especially those which are designed to meet the needs of changing farming practices or are necessary to achieve compliance with new environmental, hygiene or welfare legislation.*

In response to the above, this proposal will meet the needs of this specific agricultural business, which will enable them to produce in a more sustainable manner, safeguarding the future of the business within the industry.

## **Conclusion**

The principle of development for agricultural purposes is accepted within local and national planning policies. The proposal under consideration will not create unacceptable changes to the landscape due to the mitigation provided, or have an unacceptable effect on the residential amenities of the neighbouring properties. The proposed development is considered acceptable to the Local Planning Authority. Consequently, it is my opinion that the proposal should be permitted subject to conditions.

## **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:**

- **A2-01a: Proposed drawings**
- **Location Plan**

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

**(03) Notwithstanding the details submitted in drawing No. A2-01a, no development or site clearance shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping to enclose the western, southern and eastern**

**elevations of the proposed building. The scheme shall include indications of all existing trees to be retained, (including spread and species) and hedgerows on the land, and where appropriate disease such as Ash dieback.**

Reason: to improve visual integration as required by PCYFF 4.

**(04) All planting comprised in the approved details of landscaping shall be carried out in the first planting season (October to March inclusive) following the use of the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The planting shall be retained for the lifetime of the development hereby approved.**

Reason: to ensure the establishment of visual integration required by PCYFF 4.

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, PCYFF 4

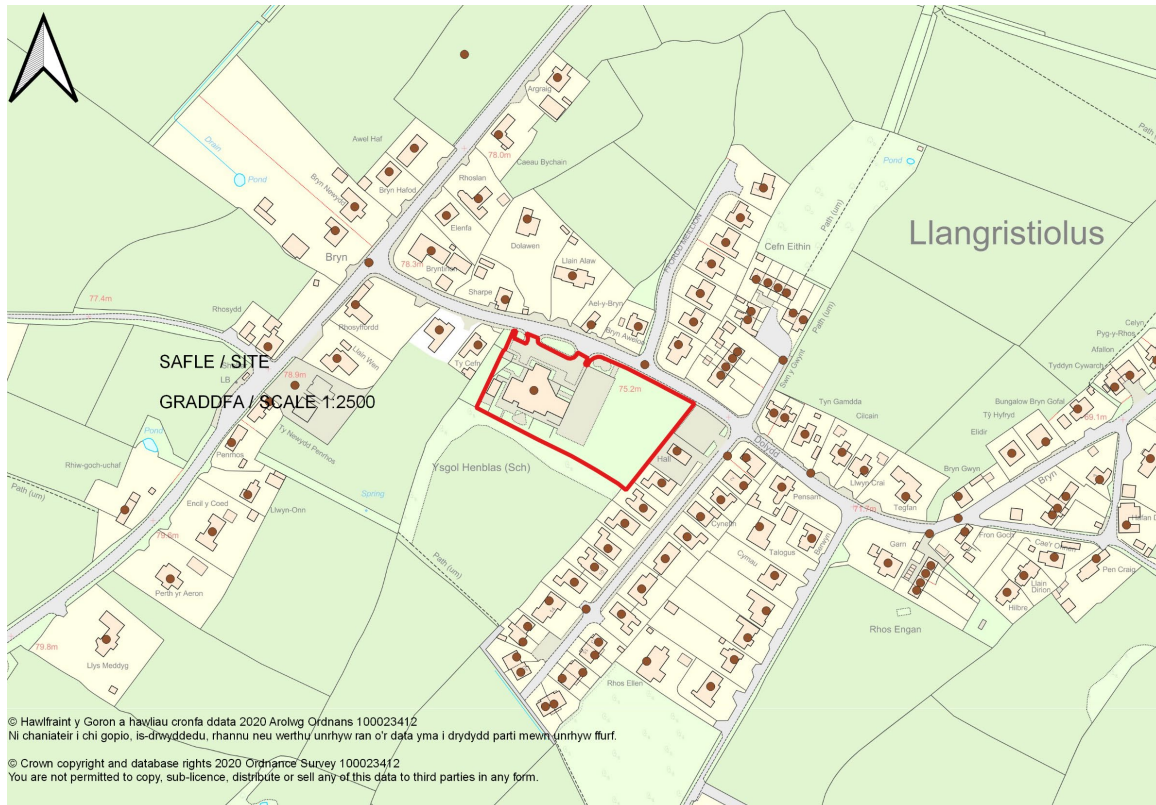
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

**Application Reference:** FPL/2021/147

**Applicant:** Head of Service Highways, Waste and Property

**Description:** Full application for removal of the existing mobile teaching classroom building, siting new mobile classroom building, erection of fencing together with hard landscaping at

**Site Address:** Ysgol Henblas, Llangristiolus



**Report of Head of Regulation and Economic Development Service (Owain Rowlands)**

**Recommendation:** Permit

**Reason for Reporting to Committee**

The Isle of Anglesey County Council are the applicant and the landowner.

**Proposal and Site**

The application is for the removal of the existing mobile classroom building and the siting of a new mobile classroom building, along with the erection of fencing and hard landscaping works. The site of this proposal is Ysgol Henblas in Llangristiolus.

## Key Issues

The applications key issue is whether the proposal would have a negative impact on the existing school building, the surrounding area or neighbouring residential properties.

## Policies

### Joint Local Development Plan

### Joint Local Development Plan

Policy AMG 2: Special Landscape Areas

Policy ISA 2: Community Facilities

PCYFF 1: Development Boundaries

PCYFF 2: Development Criteria

PCYFF 3: Design and Place Shaping

PCYFF 4: Design and Landscaping

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

Technical Advice Note 12: Design (2016)

Planning Policy Wales (11<sup>th</sup> edition)

## Response to Consultation and Publicity

| Consultee                                                                    | Response                                                                                                                                                       |
|------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Dwr Cymru Welsh Water                                                        | No observations at the time of writing.                                                                                                                        |
| Ymgynghoriadau Cynllunio YGC                                                 | No observations at the time of writing.                                                                                                                        |
| Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor | Requested for biodiversity enhancements to be shown on the proposed plans. Agent provided a landscaping plan showing several hedges within the school grounds. |
| Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit                  | No observations at the time of writing.                                                                                                                        |
| Cynghorydd Eric Wyn Jones                                                    | No observations at the time of writing.                                                                                                                        |
| Cynghorydd Dafydd Roberts                                                    | No observations at the time of writing.                                                                                                                        |
| Cyngor Cymuned Llangristiolus Community Council                              | No observations at the time of writing.                                                                                                                        |
| Prifffyrdd a Trafnidiaeth / Highways and Transportation                      | Requested that a Construction Traffic Management Plan was provided as part of the application. Agent provided and highways had no objections.                  |

The application was advertised with notification letters and the publicity period expires on the 28.07.21. One observation had been received at the time of writing:

Owner of neighbouring property has no objections towards the proposal, but is worried that the plan could impact the privacy of his property. He discussed the possibility of bamboo screening along the perimeter fence with the agent, who complied and added these to the proposed plans. This ensures that the privacy of the nearest neighbouring property will be maintained.



## **Relevant Planning History**

36LPA196A/DC – Erection of a new primary school. Approved 01/07/1987.

36LPA196B/CC – Relocation of mobile classroom at Ysgol Gynradd Llangristiolus. Approved 07/10/2004.

## **Main Planning Considerations**

The proposed development is for the siting of new mobile classroom to replace the existing mobile classroom at Ysgol Henblas. Additionally, there will be some fencing work and hard landscaping works.

The existing classroom is located in the South-west corner of the school grounds. It is an old structure, measuring approximately 9.7m by 6m, and 3.6m in height. The proposed new classroom will be located in the same location, but will be of a slightly larger footprint, measuring approximately 13m by 8.5m. The height will remain at approximately 3.6m, such that the new classroom should integrate into its surroundings.

A new 2m high welded mesh fence is proposed along the west boundary of the school playground, which will protect the privacy of both the school grounds and the neighbouring properties. The proximity of the proposed development to neighbouring residential properties and the existence of trees and hedges between them is considered more than adequate so as not cause any negative impact.

A rubber crumb area is proposed to the north of the new mobile classroom, which will be fenced around by 1.5m high metal bow top fence. This will lead to the creation of a safe playing environment within the existing school grounds.

*Policy ISA2* states that applications to enhance school facilities will be supported. The proposed development will enhance the facilities at the school creating a better environment for the children and staff that use the building.

*Policy PCYFF 1* notes that proposals within development boundaries will be approved in accordance with the other policies and proposals of this Plan, national planning policies and other material considerations. This site is within the development boundary for Llangristiolus, and is considered acceptable according to other policies and considerations.

*Policy PCYFF 2* sets out that proposals should not impact on the surrounding areas amenities or on adjacent land. The proposed development will have little to no impact on the amenities of the surrounding area.

*Policy PCYFF 3* notes that all proposals should demonstrate high quality design that should fully take into account the built environment context, using materials appropriate to its surroundings. Additionally, all proposals should respect the context of the site within the local landscape. This development is almost a like for like change, with a slight increase in size, which is considered to have no greater impact on its surrounding environment, safeguarding the area for future generations.

*Policy PCYFF 4* states that all proposals should consider landscaping as part of the design process, and should integrate into their surroundings. The proposed fencing will protect both the privacy and amenities of the school and the neighbouring properties.

*Policy AMG 2* states that all proposals within a Special Landscape Area (SLA) should consider the scale and nature of development, ensuring that there is no detrimental impact on the landscape. This proposal is within the Malltraeth Marsh & Surrounds SLA, but as it is a small scale proposal that only slightly increases the footprint, it is considered to maintain the character and qualities of the area.

## **Conclusion**

Consultation and publicity responses will be awaited until the 28<sup>th</sup> and 29<sup>th</sup> of July. However, it is considered that the proposed development is acceptable in policy terms, improving the schools' facilities, and the new mobile classroom and associated works will integrate well into the existing building's character and appearance.

## **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:**

- **AL04 – Proposed site plan**
- **AL05 – Proposed site location plan**
- **AL05 – Proposed fencing design and details**
- **AL06 – Proposed hard landscape design & details**
- **AL09 - Proposed landscaping**
- **210513-ELT-00-00-DR-A-1000: General Arrangement**
- **210513-ELT-00-00-DR-A-2000: Proposed Elevations**
- **Traffic Management Plan Ysgol Henblas - 13/07/21**

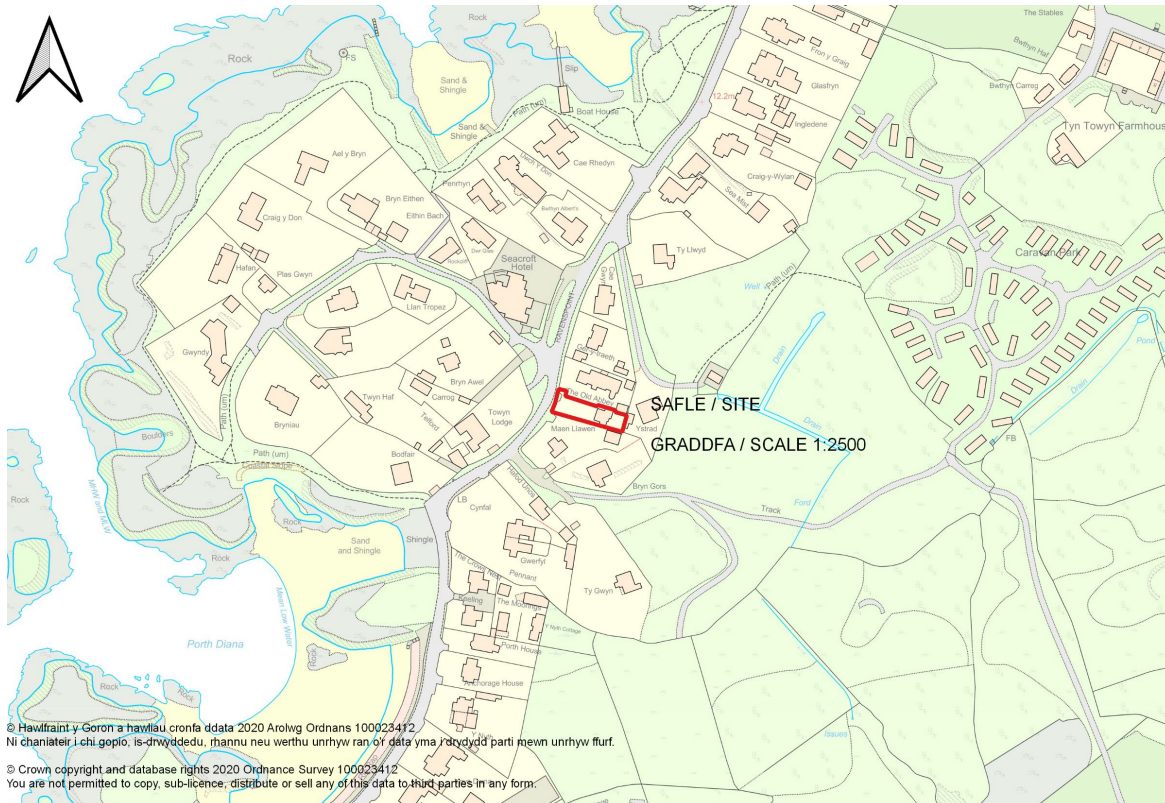
Reason: To ensure that the development is implemented in accord with the approved details.

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: AMG 2, ISA 2, PCYFF 1, PCYFF 2, PCYFF 3, PCYFF 4.

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.

**Applicant:** Mr & Mrs D Cuzner

**Site Address:** The Old Abbey & Abbey Lodge, Ravenspoint Road, Trearddur Bay



**Recommendation:** Permit

The applicant has served notice on the Isle of Anglesey Council as the landowner.

The application site is within the settlement boundary of Trearddur Bay. The proposal seeks retrospective permission for the widening of the vehicular access with the public highway which serves two properties. A natural dry stone wall forms part of the splay and either side of the access along the boundary with the public highway.

## **Key Issues**

- Highways Safety and Convenience
- External Appearance & Relationship with Surroundings

## **Policies**

### **Joint Local Development Plan**

Anglesey and Gwynedd Joint Local Development Plan (2017)

PCYFF 2: Development Criteria

PCYFF3: Design and Landscaping

TRA 4 Managing Transport Impacts

PS 20: Preserving and Where Appropriate Enhancing Heritage Assets

Planning Policy Wales (Edition 11, February 2021)

Technical Advice Note 18 Transport

Technical Advice Note (TAN) 24: The Historic Environment (2017) "TAN 24"

## **Response to Consultation and Publicity**

Cynghorydd Dafydd Rhys Thomas: No observations received.

Cynghorydd John Arwel Roberts: No observations received.

Cynghorydd Trefor Lloyd Hughes: No observations received.

Cyngor Cymuned Trearddur Community Council: No observations received.

Prifffyrdd a Trafnidiaeth / Highways and Transportation: No objections.

Ymgynghoriadau Cynllunio YGC: Unlikely that a Suds application is required.

Dwr Cymru/Welsh Water: Based on the additional plans provided showing the cross section of the wall the initial objection based on the fact that the wall is constructed above a public sewer was withdrawn.

Ymgynghorydd Treftadaeth / Heritage Advisor: The proposed development site has no built heritage designation. Additionally, in my opinion, the development is unlikely to significantly impact upon the setting of the grade II listed Towyn Lodge situated opposite.

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 02/06/2021. At the time of writing this report, no letter of representation had been received at the department.

## **Relevant Planning History**

HHP/2020/6 - Full application for alterations and extensions at - Abbey Lodge, Ravenspoint Road, Bae Trearddur/Trearddur Bay - Caniatáu / Permit 06/03/2020.

46C218E - Full application for change of use of annexe into a dwelling at - The Old Abbey, Ravenspoint Road, Bae Trearddur Bay Caniatáu / Permit Appeal permitted 11/05/2017.

46C218D - Full application for change of use of annexe into a dwelling at - The Old Abbey, Ffordd Ravenspoint Road, Bae Trearddur Bay Withdrawn 11/05/2016.

46C218C Retention of the granny flat and garage together with the erection of a swimming pool 29/10/2003.

46C218B Full plans for the erection of a dwelling 31/07/1998.

46C218A Erection of a dwelling Refused 03/08/1995.

46C218 Erection of a dwelling Permitted 08/08/1991.

46C604/FR - Full application for a new garage/boat store together with construction of a new access at - Maen Llawn, Ravenspoint Road, Treaddur Bay, Caergybi/Holyhead Refused 29/11/2017.

46C604A/FR - Full application for the erection of a detached garage together with the construction of a new access at - Maen Llawn, Bae Treaddur Bay Permitted 19/07/2018.

## **Main Planning Considerations**

**Introduction** The application seeks retrospective permission for a widened vehicular access.

**Highways Safety and Convenience** Detailed plans of the access including the visibility splay available have been provided as part of the planning application and the council's Highways Sections are content with the proposal.

**External Appearance & Relationship with Surroundings** The walls at the vehicular entrance to the development are constructed with natural stone and is similar to others present in the vicinity. It is considered that proposal would align with policy PCYFF 2 which requires that property aligns with characteristics of the locality and PCYFF 3 which requires that proposals demonstrate high quality design taking into account its context and which complement and enhance the character and appearance of the site.

**Other Matters** 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. The council's Heritage Adviser the development is unlikely to significantly impact upon the setting of the grade II listed Towyn Lodge situated opposite and on this basis these policy and statutory considerations are considered to be met.

Welsh Water initially objected to the planning application on the basis that the development crossed a combined public sewer and would thus hinder its maintenance. An additional plan was submitted showing the cross section of the wall and the Welsh Water withdrew their objection on the basis that the wall was a little over 1 metre in height.

## **Conclusion**

The proposal is acceptable in terms of highway safety and convenience and is also acceptable in other respects and on this basis a recommendation of approval is made.

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

development would have a positive on well-being objectives in terms of creating and sustaining communities in creating a safe and attractive development along the public highway.

### **Recommendation**

That planning permission is approved subject to the following planning condition:

(01)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 001 Revision A  
Existing & Proposed Boundary Alterations 002 Revision E  
Combined Sewer Build-Over Protection 003 Revision A  
Planning Support Statement (07/04/2021) Owen Devenport

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

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

**Application Reference: FPL/2020/215**

**Applicant:** Clwyd Alyn Housing Association

**Description:** Full application for the erection of 23 dwellings (including 4 apartments) together with the creation of two new access and associated development on land adjacent to

**Site Address:** Lon Lwyd, Pentraeth



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

At the request of the Local Member – Margaret M Roberts

**Proposal and Site**

The application is submitted for the construction of 23 affordable dwellings together with creation of two new access and associated developments. The application site will be accessed from the A5025 main highway which is to the west of the site. A single track for agricultural purposes is also located at the southern part of the site. The application site comprises of an area of undeveloped land and is bounded by residential properties to the north and a mixture of both residential properties and industrial units to the south.

The land is within the Area of Outstanding Natural Beauty (AONB) and lies immediately adjacent to the settlement boundary of Pentraeth as identified within the Joint Local Development Plan (JLDP).

The proposed development will include new estate roads to serve the proposed dwellinghouses and apartments. The proposed two storey dwellinghouses will be located across the site which has various number of bedrooms. The single bedroom apartments will be located towards the southern part of the site. The majority to the dwellinghouses are semi-detached properties together with a detached unit. All units are provided with designated parking and private amenity spaces. As part of the proposed development amenity land will located to the south west.

## Key Issues

Whether or not the proposal is justified in this location, complies with local and national policies and whether the proposal will have an impact upon the neighbouring properties, character and amenity of the area, Area of Outstanding Natural Beauty (AONB) and highway safety.

## Policies

### Joint Local Development Plan

Policy TAI 15: Affordable Housing Threshold & Distribution  
 Policy TAI 16: Exception Sites  
 Policy TAI 4: Housing in Local, Rural & Coastal Villages  
 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 6: Water Conservation  
 Policy PCYFF 5: Carbon Management  
 Policy ISA 2: Community Facilities  
 Policy ISA 5: Provision of Open Spaces in New Housing Developments  
 Strategic Policy PS 2: Infrastructure and Developer Contributions  
 Policy ISA 1: Infrastructure Provision  
 Strategic Policy PS 4: Sustainable Transport, Development and Accessibility  
 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  
 Policy AMG 1: Area of Outstanding Natural Beauty Management Plans  
 Policy AMG 5: Local Biodiversity Conservation

## Response to Consultation and Publicity

| Consultee                                                                    | Response                                                                                                                                                                                        |
|------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor | Conditional Approval                                                                                                                                                                            |
| Cynghorydd Vaughan Hughes                                                    | No Response                                                                                                                                                                                     |
| Cynghorydd Ieuan Williams                                                    | No Response                                                                                                                                                                                     |
| Cynghorydd Margaret Murley Roberts                                           | Application is referred to the Planning and Orders Committee. Concerns that the site is located outside the development boundary, impact upon the AONB and ecology, flooding and sewage system. |



|                                                                          |                                                                              |
|--------------------------------------------------------------------------|------------------------------------------------------------------------------|
| Cyngor Cymuned Pentraeth Community Council                               | No Objection subject to the open space being open for the village residents. |
| Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit              | Comments within the main core of the report                                  |
| Priffyrdd a Trafnidiaeth / Highways and Transportation                   | Conditional Approval                                                         |
| Swyddog Cefn Gwlad a AHNE / Countryside and AONB Officer                 | No Response                                                                  |
| Ymgynghorydd Treftadaeth / Heritage Advisor                              | No Comments                                                                  |
| Ymgynghorydd Tirwedd / Landscape Advisor                                 | Comments within the main core of the report                                  |
| Cyfoeth Naturiol Cymru / Natural Resources Wales                         | Conditional Approval                                                         |
| Iechyd yr Amgylchedd / Environmental Health                              | Conditional Approval                                                         |
| Ymgynghoriadau Cynllunio YGC                                             | SAB Approval Required                                                        |
| Gwasanaeth Addysg / Education Service                                    | No contribution required                                                     |
| Uned Datblygu Economaidd / Economic Development Unit                     | No Response                                                                  |
| Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service | No Objection                                                                 |
| Dwr Cymru Welsh Water                                                    | No Objection - advisory notes                                                |
| Strategol Tai / Housing Strategy                                         | Comments contained within the main core of the report                        |
| YGC (Ymgynghoriaeth Gwynedd Consultancy)                                 | SAB approval required                                                        |

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 publicity process has been undertaken on two occasions. The latest date for the receipt of any representation was the 30/06/2021. At the time of writing this report, 40 representations had been received at the department. The key points are summarised below:

- Concerns regarding the adequacy of the drainage and sewage systems
- Concerns regarding highway safety and the increase of traffic as a result of the proposed development.
- The proposed development will have negative impact upon the designated Area of Outstanding Natural Beauty.
- Concerns regarding loss of ecology and protected species.
- Application site is located outside the development boundary and contrary to policy. Question whether or not there is a need for the dwellinghouses.
- Concerns regarding infrastructure including the capacity within the local school.
- The proposed development will harm the amenity enjoyed by nearby residents.
- Concerns regarding the impact upon the Welsh Language

### Relevant Planning History

SCR/2020/66 - Screening opinion for the erection of 23 dwellings together with the creation of a new access and associated development on land adjacent to– EIA Not Required 12/01/2021

## **Main Planning Considerations**

### **Principle of Development:**

The site is located immediately adjacent to the development boundary of Pentraeth. In terms of the principle of housing development, the link with the development boundary is considered under policy TAI 16 of the Joint Local Development Plan (JLDP). In accordance with this Policy all units would have to be affordable housing that meets a defined local need. The policy states:

“Where it is demonstrated that there is a proven local need for affordable housing (as defined in the Glossary of Terms) that cannot reasonably be delivered within a reasonable timescale on a market site inside the development boundary that includes a requirement for affordable housing, as an exception, proposals for 100% affordable housing schemes on sites immediately adjacent to development boundaries that form a reasonable extension to the settlement will be granted. Proposals must be for a small scale development, which are proportionate to the size of the settlement, unless it can be clearly demonstrated that there is a demonstrable requirement for a larger site, with priority, where it is appropriate, given to suitable previously developed land.”

The Pentraeth development boundary is divided into two parts. The larger part being towards the south. The application site is positioned between the two parts of the of the development boundary. The application site is considered a reasonable extension to the settlement which would effectively link the development boundary. It is considered that the site will not unacceptable intrude and encroach further into the countryside than the general existing form of development. The application site is considered proportionate to size of the settlement of Pentraeth, which is classed as a Local Service Centre within the JLDP.

Policy TAI 16 also states that, if local need has been proven, as an exception to the usual housing policies, schemes for a 100% affordable housing could be suitable on such a site as long as the units cannot be reasonably be delivered within a reasonable timescale on a market site inside the development boundary that includes a requirement for affordable housing. It has to be ensured that all the units are affordable and that there is a local need for them.

The indicative provision for Pentraeth over the Plan period is 57 units (which includes a 10% ‘slippage allowance’, which means that the calculation has taken account of potential unforeseen circumstances that could influence delivery of housing due to, e.g. land ownership issues, infrastructure constraints, etc.). In the period 2011 to 2021 a total of 31 units have been completed in Pentraeth. The total land bank i.e. sites with extant planning permission, in April 2021, was 19 units.

This proposal would mean that Pentraeth would exceed its indicative supply figure. The Plan's Monitoring Framework will consider the number of units that are completed annually in order to determine if the Plan is achieving the housing requirement. Annual monitoring will also allow the Councils to determine what type of sites will supply housing i.e. allocation or windfall sites. The focus will be on the units completed rather than permissions. As well as this, the Monitoring Framework will try to assess if the Plan's Settlement Strategy is being achieved. This indicator looks at housing consents. Policy PS 17 in the Plan states that 22% of the Plan's housing growth will be located within the Local Service Centres. A review of the situation in terms of windfall provision within all Local Service Centres in April 2020 shows that 785 units out of the total of 1754 units anticipated on windfall sites in Local Service Centres (without the 10% slippage allowance) have been completed and that a further 476 units are in the land bank (and expected to be completed) with a further 404 potential units on allocated housing sites without planning permission. This therefore means a that there is a deficit of 89 units.

In terms of meeting a ‘local need’, Definition of who can live in these units is very specific. Whilst it is noted in the information submitted with the planning application that all the units will be managed by Clwyd Alun Housing Association, it has been confirmed by the Housing Service there is a need for the units being proposed. The assessment includes a Housing Need Survey which was completed in July

2020. The Housing Service have also confirmed that there is a need for the proposed units, in addition to other recently approved exception sites in Benllech.

The proposal is therefore appropriate in terms of the fact that all the units proposed on the part of the site outside the boundary are affordable. It is also necessary to establish there is a genuine need for these units and that this cannot be met within the boundary of Pentraeth as noted in Policy TAI 16. If the need for these units have not been suitably justified, the proposal, in terms of the units located outside the development boundary, would be contrary to JLDP as it would provide new houses in the countryside without the relevant justification.

As such, Policy TAI 16 states the requirement to demonstrate that affordable housing to meet a proven local need cannot be reasonably be delivered within a reasonable timescale on a market site inside the development boundary that includes a requirement for affordable housing.

The applicant together with the policy, housing and property section have provided comments with respect to whether or not affordable housing cannot be reasonably be delivered within a reasonable timescale on a market site inside the development boundary.

There are no allocated housing sites within Pentraeth. In April 2021 (in relation to the annual housing survey) it is noted that there were extant planning permissions for 4 affordable housing units in Pentraeth. In April 2021 all of these units were yet to start construction.

Consideration is also given to houses that are available within the development boundary of Pentraeth which are of a type and price that could meet the recognised need in terms of the provision within the boundary. Based upon the findings of the housing Section, it is concluded there is a need for the affordable units.

It is considered there are only limited opportunities to meet any identified need in the settlement within a reasonable timescale. In light of this evidence and the lack of previous affordable units being delivered within the settlement the housing section are of the opinion that the exception site will help to meet an identified need.

### **Viability**

With respect to the viability and deliverability of the site, it is considered that the site is on the main programme Development Plan (PDP) to receive Social Housing Grant by the Authority during 2021/22. It is therefore considered there is a high element of certainty that this site will be brought forward within a reasonable timescale and consideration has been given towards its viability.

### **Policy TAI 8 – Appropriate Housing Mix**

The proposed development offers a mixture of two storey dwellinghouses (detached, semi-detached and terraced) which can accommodate various number of bedrooms and occupants. Policy TAI 8 'Appropriate Housing Mix' seeks to ensure that all new residential development contributes to improving the balance of housing and meets the identified needs of the whole community.

The mixture include four 1 bedroom apartments, ten 2 bedroom houses, eight 3 bedroom houses and one 4 bedroom house

Regard is given to the Local Housing Market Assessment (LHMA), Council Housing Register and Tai Teg Register to assess the suitability of the mix of housing in terms of both type and tenure proposed on development sites to redress an identified imbalance in a local housing market. The Housing Service have confirmed that the housing mix being proposed is acceptable.

## **Policy PS 1 – Welsh Language and Culture**

Given that the application is a large scale housing development (defined as 5 or more units within Local Service Centres in the Maintaining and Creating Distinctive and Sustainable Communities' SPG) on an unexpected windfall site then a Welsh Language Impact Assessment is required in line with policy PS1 of the JLDP. It is noted that such an assessment has been submitted with the application which concludes that the impact upon the Welsh Language will be comparatively low.

## **Policy ISA 5 – Provision of Open Spaces in New Housing Developments**

As this is a development of 23 dwelling houses it triggers Policy ISA 5, which states that: "New housing proposals for 10 or more dwellings, in areas where existing open space cannot meet the needs of the proposed housing development, will be expected to provide suitable provision of open spaces in accordance with the Fields in Trust (FiT) benchmark standards of 2.4 hectares per 1000 population."

The Open Spaces in New Residential Developments Supplementary Planning Guidance (SPG) (March 2019) states that the benchmark standard proposed by the FiT consists of a minimum 2.4 hectares per 1000 population.

The applicant is providing 220 square metres of informal play area and 110 square meters of equipped place space as part of the proposed development. The Policy Section have assessed the proposed development in line with the relevant guidance and have concluded that the application meets the recreation requirements. A section 106 will ensure that the informal play area and equipped place space is carried out accordingly.

## **Infrastructure Policy**

Policy ISA 1 seeks adequate infrastructure capacity and where this is not provided by a service or infrastructure company, this must be funded by the proposal. Specifically for this type of development consideration is given to the capacity within local schools to accommodate the anticipated number of children on the site. It is also important to consider the effect of the proposed development on the capacity of local schools. The cumulative impact of other developments in the schools' catchment areas is also taken into account when assessing whether an education contribution should be made. The Lifelong Learning Department of Anglesey Council have confirmed that no commuted sum is required in this instance.

## **Agricultural Land**

The application site is located on what has been identified as best and most versatile agricultural land – Grade 3a. Criterion 6 of Strategic Policy PS6 (Alleviating and adapting to the effects of climate change) of the JLDP states that proposals have to fully take account of safeguarding the best and most versatile agricultural land.

Planning Policy Wales states that considerable weight should be given to protecting such land from development, because of its special importance. The best and most versatile land should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations.

It is also noted that if best and most versatile land does need to be developed, and there is a choice between sites of different grades, development should be directed to land of the lowest grade.

As such, there is a need to consider the proposal against these factors and whether there is an overriding need for the development when considered against safeguarding the land. To this extent it is noted that an Agricultural Land Classification Report (ALCR) has been submitted with the planning application.

The ALCR concludes that the land is only used for periodic grazing and has only moderate value in terms of the agricultural land classification of growing crops for food production. The report underlines that the land in question is Grade 3b, the soil type is Flint, with restricted use with impeded drainage, with soil conditions that may limit safe groundwork and grazing.

As previously noted, criterion 6 of Strategic Policy PS6 (Alleviating and Adapting to the Effects of Climate Change) notes that proposals must give full consideration to protecting the best and most versatile agricultural land. Best and most versatile (BMV) agricultural land is defined in Planning Policy Wales as Grades 1, 2 and 3a, this is excellent to good quality land which is able to best deliver the food and non-food crops. Since the ALCR has undertaken a detailed survey of the site and concluded that the quality of the land reflects Grade 3b land, it is not considered that the proposed development would lead to the loss of best and most versatile agricultural land.

### **Character of the area:**

At its core, one of the most fundamental consideration is whether this residential development is acceptable in respect of its design and layout is whether it can comply with the provisions of the JLDP and whether there are any other material considerations which must be taken into account. Policy PCYFF2, PCYFF3 and PCYFF4 are the primary consideration in assisting the proposal from this aspect.

The development is located adjoining the settlement of Pentraeth. Within this context, achieving the correct design and appearance is important and it is noted that a mixture of development are located within the vicinity. These include a mixture of single and two storey dwelling of various designs. An industrial estate is also located nearby.

The design and appearance (a mixture of render, timber and stone external finishes) of the proposed units are considered acceptable in terms of their impact on the townscape which will acceptably integrate into the surrounding area. The proposed development includes a mixture of detached, semi-detached dwellinghouses together with a block of two storey apartments. It is considered that the proposed development will not harm the character of the area and reflect the relatively dense residential pattern of development within the immediate locality.

### **Effect upon the amenities of neighbouring properties:**

The impact of the proposal, in particular upon the amenity of nearby land users should be considered in accordance with the criteria as set out in Policy PCYFF2 of the JLDP. Specific consideration should be given to subsection 6 which stipulates that planning permission should be refused if the proposed development would have an adverse impact on the health, safety or amenity of occupier of local residence or other land and property users.

Regard has been given in terms of overlooking / loss of privacy and the effect on the outlook of adjacent residential properties. As previously noted, the application will be served from the main highway to west of the application site. Existing dwellinghouses are located along the northern and southern boundary of the application site.

Plots 1 – 10 all adjoin the northern boundary and therefore careful consideration is given to the amenities of the dwellinghouses located towards the north. Some of these dwellinghouses form part of the Lon Lwyd estate whilst others are dwellinghouses (Ael y Bryn and Lon Lwyd Cottage) situated within their own curtilages towards the north west. These dwellinghouses includes a mixture of single and two storey dwellinghouses.

Plots 1 – 10 are two storey semi-detached dwellinghouses. The dwellinghouses are predominately set within the centre of their curtilages whilst parking spaces are located at the front (south) and garden are extending towards the rear (north).

The Supplementary Planning Guidance (Design for the Urban and Rural Environment) requires a distance of 2.5 meters between dwellinghouses and boundaries. All of these dwellinghouses exceeds this distance, the shortest distance to northern boundary being approximately 16 meters.

The Supplementary Planning Guidance (Design for the Urban and Rural Environment) SPG also requires a distance of 15 meters between secondary windows. The nearest proposed secondary window to an existing secondary window is at a distance of approximately 21 meters. This exceeds the guidance distance. In addition, a hazel hurdle fence together with scrub planting is being proposed along the northern boundary which will further aid against the impact upon the amenity of neighbouring properties. The existing boundary vegetation will also be retained along the boundary.

A dwelling house known as Silver Crest adjoins the southern boundary and therefore careful consideration is given to its amenity. There is a distance of approximately 38 meters between the closest proposed units and Silver Crest.

As previously noted above a distance of 2.5 meters between dwellinghouses and boundaries together with a distance of 15 meters is required between secondary windows. The distance to the nearby residential units far exceeds these distances.

An area of retained existing boundary vegetation together with a grassed area will surround its residential curtilage. A proposed green access lane will also be located between the exiting dwelling houses and the areas available for public use i.e. communal orchard, area of outdoor sport informal and equipped play areas.

It is not considered that the proposed development will have a detrimental impact upon the nearby dwellinghouses or future occupants of the proposed affordable units. Conditions will be attached to any permission to including measures to mitigate against the impact during the construction phase.

#### **Local Highways Authority:**

The residential aspect of the development will be accessed from the main public highway (A5025) to the north west of the site. Improvements to pedestrian access is also being proposed along with an estate road serving the proposed dwellinghouses. A separate access is also being proposed towards the south west of the site. This will serve as single track lane allowing access to the agriculture field to the rear of the site.

The Local Highways Authority have assessed the application and are satisfied with the proposed development subject to a conditions.

#### **Drainage:**

Indicative detailed drainage plans and a drainage strategy has been submitted as part of the application.

The application site is not located within a Flood Zone. Nevertheless, the proposed development will require sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers. The proposal entails the inclusion of grass verge filter strips, permeable paving, swales and a bioretention pond to manage the surface water network. Due to the size and nature of the development it will be necessary to provide an application to the SAB for approval prior to the commencement of the building work.

The foul water from the site will discharge into the onsite Welsh Water gravity foul sewer. Welsh Water have been consulted regarding the application and not raised any object to this method of disposing of foul water.

**Ecology:**

A Preliminary Ecological Appraisal and an Ecological Impact Assessment has been submitted with the application. As part of the appraisal a number of recommendations have been made, including the retention of hedgerows, new planting and bird / bat boxes.

The Authority's ecologist together with Natural Resources for Wales have assessed the application and are satisfied that the proposal will offer ecological enhancements. Conditions will be imposed accordingly to secure the proposed mitigation measures.

**Area Of Outstanding Natural Beauty (AONB):**

The application site is located within the open countryside and positioned between two parts of the development boundary which are to the south and north. The A5025 main highway is located to the west whilst open countryside is located to the east.

The application is also located within the designated Area of Outstanding Natural Beauty (AONB). Policy AMG 1 of the JLDP ensures that proposals within or affecting the setting and / or significant views into and out of the AONB must, where appropriate, have regard to the AONB Management Plan.

The primary objective for designating AONBs is to conserve and enhance the natural beauty of the landscape. It is crucial that any development schemes that affect the AONB or its setting favours the safeguarding of an area's natural beauty.

Policy PS 19 states that the Council will manage development so as to conserve and where appropriate enhance the Plan area's distinctive natural environment, countryside and coastline, and proposals that have a significant adverse effect on them will be refused unless the need for and benefits of the development in that location clearly outweighs the value of the site or area and national policy protection for that site and area in question.

The application is accompanied by a Landscape and Visual Appraisal (LVA): RML September 2020, produced in accordance with the Guidelines for Landscape and Visual Impact Assessment. The submission will assist the Authority in determining the impact of the proposed development upon the AONB, landscape character and the effect on local and LANDMAP qualities.

The LVA addresses design issues which were raised by the Local Planning Authority in an effort to reach an improved layout with indicative landscaping to improve integration. It aims to preserve qualities related to views across the site.

It is considered that the proposed development would have an effect on the open view from the A5025. It is however considered that the proposed development would not affect natural beauty, AONB features or special qualities related to landscape as considered under policy AMG 1.

The proposal offers several mitigation measures. The principal being a landscape mitigation scheme which includes a new boundary along the eastern boundary which will create a clear definitive edge around the new development which will make it tougher to encroach further into the AONB. Other mitigation measures include landscaping and orchard together with open spaces.

On balance, although the proposal seeks to develop onto open countryside and designated AONB, given the proposed mitigation measures and the need for the affordable units at the site, it is considered that the proposed development would not have such a detrimental impact upon the surrounding landscape so as to make it unacceptable.

### **Other matters:**

Consultees including Gwynedd Archaeological, Drainage / Welsh Water, Natural Resources for Wales, Environmental Health have all provided comments with respect to the proposed development. Conditions will be attached to the permission accordingly.

### **Conclusion**

The application is acceptable in overall policy terms and will provide much needed affordable housing within Pentraeth. Although within the Area of Outstanding Natural Beauty, on balance and given due consideration to the mitigation and enhancement measures being proposed it is considered that the proposed development is acceptable and will deliver an identified need of affordable dwellinghouses in Pentraeth which cannot be delivered on other sites within the development boundary.

The details with respect to highway matters have been assessed and considered acceptable. Given due consideration to distances between existing properties and the character of the area, the proposal is considered acceptable subject to conditions and will not detrimental harm the amenities currently enjoyed by the occupants of the surrounding properties or future occupiers to such a degree as to warrant refusal of the application.

### **Recommendation**

Permit the application subject to conditions and a section 106 agreement securing affordable housing and open space provision.

**(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 – 3127-001 Rev A
- Landscape Masterplan – 3127-01 Rev G
- Street Lighting Services – P1685/E101 Rev P3
- Adoptable Road Layout – 19116/S38-1 Rev E
- Adoption Layout – 19116/S104-1 Rev D
- Adoptable Surface Water Layout – 19116/SAB-1 Rev E
- Kerbing Layout and Construction Details – 19116/403 Rev C
- Surfacing Layout – 19116/404 Rev D
- Surface Construction Details – 19116/405 Rev A
- Drainage Layout – 19116/501 Rev F
- Street Scenes 1-5 – 1119-JPH-ZZ-XX-DR-A-030
- Drainage Details Sheet 3 – 19116/504 Rev A
- Surface Water Long section Sheet 1 – 19116/506 Rev C
- Foul Water Long section – 19116/508 Rev A
- GA Plans - 2B4P Semi Detached Type A -1119-JPH-ZZ-XX-DR-A-101
- Elevations 2B4P Semi Detached Type A - 1119-JPH-ZZ-XX-DR-A-102
- Elevations 2B4P Semi Detached Type B - 1119-JPH-ZZ-XX-DR-A-202
- GA Plans 2B4P Semi Detached Type B - 1119-JPH-ZZ-XX-DR-A-201
- GA Plans 2B4P Semi Detached Type C – 1119-JPH-ZZ-XX-DR-A-301
- Elevations - 2B4P Semi Detached Type C – 1119-JPH-ZZ-XX-DR-A-302
- GA Plans and Elevations 3B5P Semi Detached Type A – 1119-JPH-ZZ-DR-A-401
- General Arrangement – 19116/401 Rev B



- Elevations 3B5P Semi Detached Type A – 1119-JPH-ZZ-DR-DR-A-402
- GA Plans and Elevations 3B5P Semi Detached Type B – 119-JPH-ZZ-DR-A-501
- Elevations 3B5P Semi Detached Type B – 1119-JPH-ZZ-DR-DR-A-502
- GA Plans and Elevations 3B5P Semi Detached Type C – 1119-JPH-ZZ-DR-A-601
- Elevations 3B5P Semi Detached Type C – 1119-JPH-ZZ-DR-DR-A-602
- GA Plans and Elevations 4B7P Detached – 0118-JPH-ZZ-XX-DR-A-701
- GA Plans and Elevations 1B2P Apartments – 119-JPH-ZZ-DR-A-801
- Elevations 1B2P Apartments – 1119-JPH-ZZ-DRA-802
- Ecological Impact Assessment – 3127/11
- Preliminary Ecological Appraisal – 3115/11
- Construction Management Plan – Williams Homes (Bala)
- Construction Traffic Management Plan – Williams Homes (Bala) – 8.1.2
- Archeology Desk Bases Assessment – B1906.DBA.01.1
- Archeology Report on Evaluation Trenching – B1906.REP.EVAL.01
- Archeology Addendum to Evaluation Trenching Report – B1906.REP.VAL.01
- Landscape and Visual Appraisal - 3127/11
- Geotechnical Investigation Report, Rev A – August 2019

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

**(03) No development shall commence until a scheme detailing all external lighting has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed to ensure that there is no light spillage onto any surrounding land or properties and shall include full details of all light including luminaire, lamp, beam widths and any anti-glare hoods to be used. The development shall be carried out in accordance with the approved scheme.**

Reason: In the interest of the amenity of the locality and to safeguard protected species and the Anglesey Area of Outstanding Natural Beauty.

**(04) No development or site clearance shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping based on Landscape Masterplan 3127-01 Rev G. The scheme shall include details of plant numbers and spacing and replacement of any hedge affected by the visibility splay. All planting in the approved details of landscaping shall be carried out in the first planting seasons following the use of the site or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The planting shall be retained for the life of the development hereby approved.**

Reason: To enhance biodiversity and to safeguard the Anglesey Area of Outstanding Natural Beauty.

**(05) The reasonable avoidance measures for various protected species as outlined with the Ecological Impact Assessment reference 3127/11 is carried out in accordance with the approved detail.**

Reason: In the interest of protected species.

**(06) 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

**(07) If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to and obtained written approval from the local planning authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with.**

Reason: To prevent pollution to the water environment.

**(08) The proposed 1.8 meter-high timber hit and miss fence and the 1.8 meter-high hazel hurdle fence as and as delineated on the submitted plan (dawning reference – Landscape Masterplan – 3127-01 Rev G) shall be erected before the units hereby approved are occupied. The fencing shall not be removed at any time. If the fencing needs to be replaced/changed for whatever reason the replacement shall be of the same height and type and in the same position.**

Reason: In the interest of residential amenity

**(09) The access shall be laid out and constructed strictly in accordance with the submitted plan before any of the dwellings are occupied 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.

**(10)The estate road(s) and its access shall be designed and constructed in accordance with 'Technical Requirements for Estate Roads in Anglesey' (copies of this document are available free on request from the local planning authority).**

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

**(11) The estate road(s) shall be kerbed and the carriageway and footways finally surfaced and lighted before the last dwelling on the estate is occupied or within 2 years of the commencement of the work on the application site whichever is the sooner.**

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

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

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

**(13) No development shall commence until measures are in place to secure the future maintenance of the access and estate roads in accordance with details previously submitted and approved in writing by the local planning authority. The management and maintenance plan for the lifetime of the development shall include the arrangements to secure the operation of the scheme throughout its lifetime.**

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

**(14) No surface water from the within the curtilage of the site to discharge onto the county highway. No development shall commence until full design details for the drainage of the site have been submitted to and approved by the Local Planning Authority. No dwelling shall be occupied until the approved scheme has been implemented in full and to the written satisfaction of the Local Planning Authority.**

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

**(15) 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;**
- (v) Measures to minimise and mitigate the risk to road users in particular non-motorised users;**
- (vi) The arrangements to be made for on-site parking for personnel working on the Site and for visitors;**
- (vii) The arrangements for loading and unloading and the storage of plant and materials;**
- (viii) 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.

**(16) 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, E and F of Part 1 of Schedule 2 are hereby excluded.**

Reason: In the interests of amenity

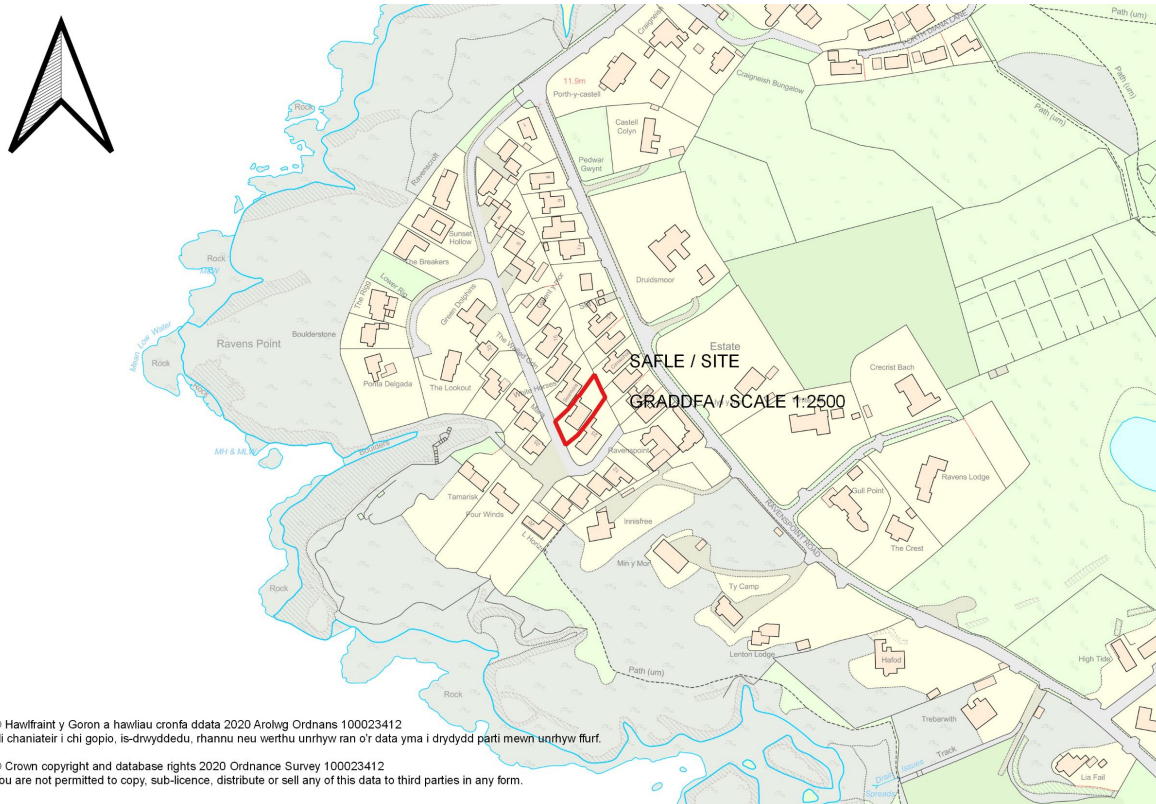
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

**Application Reference:** HHP/2021/166

**Applicant:** Mr B Sandow

**Description:** Retrospective application for the re-siting and retention of the annex on land to the rear of

**Site Address:** 21 Stad Ravenspoint Estate, Trearddur Bay



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

**Recommendation:** Permit

### Reason for Reporting to Committee

At the request of the Local Member Cllr. Trefor LI Hughes amid concerns of over-development.

### Proposal and Site

The application is for the retention of and the re-siting of the detached structure in the rear garden of 21 Ravenspoint Road. The building is obscured from the public vista by the neighbouring properties. The intended use of the building is as an annexe for the applicants elderly relative.

The property lies on a private residential estate in the village of Trearddur Bay.

## Key Issues

The applications main issues are:

- i. Whether the proposal complies with current policies
- ii. Whether the development detrimentally affects the amenities currently enjoyed by the occupants of the neighbouring properties.
- iii. Whether the development results in the over-development of the site/area.

## Policies

### Joint Local Development Plan

Policy PCYFF 2: Development Criteria

Policy PCYFF 3: Design and Place Shaping

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

Technical Advice Note 12: Design (2016)

Planning Policy Wales (Edition 11, February 2021)

## Response to Consultation and Publicity

| Consultee                                                                    | Response                                                    |
|------------------------------------------------------------------------------|-------------------------------------------------------------|
| Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor | Supports application.                                       |
| Cynghorydd Dafydd Rhys Thomas                                                | No response.                                                |
| Cynghorydd John Arwel Roberts                                                | No response                                                 |
| Cynghorydd Trefor Lloyd Hughes                                               | Call-in due to concerns of over development in the locality |
| Cyngor Cymuned Trearddur Community Council                                   | No response.                                                |

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties. Following the receipt of amended plans the publicity process has been carried out three times and the latest date for the receipt of any representation is 30th July, 2021. At the time of writing this report one letter of objection and one letter in support of the development had been received at the department. The main issues raised can be summarised as follows;

- i. Design – The building is a pre-fabricated structure with almost identical characteristics to a static caravan and is not of a high quality of design and is out of character and results in the overdevelopment of the site.
- ii. Impact on neighbouring properties by way of overlooking and noise disturbance.
- iii. Use of building – building could be used as an Airbnb letting.
- iv. Application states that the building is to be used as a garden room however the applicant has advised neighbours that it will be used as an annex
- v. The approval of the application will form a precedent for other home owners on the estate.

The correspondent also referred to policies that are not local or national policies in Wales.

In response to the above I would state;

- i. The building is a single story, timber clad structure which measures 8.1 x 3.7 x 2.7m (high) and its design is similar to a garden shed. There is ample space within the site to accommodate the development without resulting in the over development of the site.

- ii. The rear garden is currently enclosed by a low timber fence and occupants of the properties are able to see into each others neighbouring gardens. Under current permitted development rights the applicant could erect 2m high fences which would ensure that no overlooking occurred. The intended use of the building is as an annexe for the applicants elderly relative. It is not considered that the use of the building as an annexe will result in noise disturbance to the occupants of the surrounding properties.
- iii. A condition will be imposed on the permission which will ensure that the use of the property will be for private use incidental to the main dwelling.
- iv. The applicant has confirmed in their supporting statement that was submitted on the 16<sup>th</sup> June, 2021 that the intended use of the building is as an annexe to provide space for an elderly relative to stay with them.
- v. Each application is considered on its own merits and any subsequent applications will be considered in line with local and national policies in force at that time.

The reason for supporting the development was that the proposal blended well with the environment and was considered acceptable in land use planning terms.

### **Relevant Planning History**

No previous site history

### **Main Planning Considerations**

The application was submitted following an enforcement investigation.

During the enforcement investigation it was found that the height of the structure exceeded the permitted development rights by 20cm. All works in relation to the construction of the building ceased following the intervention of the local planning authority. Prior to the submission of the current planning application the applicant has been in discussion with neighbours and has agreed to re site the building closer to the main dwelling and further away from the rear boundary with the neighbouring properties.

Paragraph 14.2.2 of the Welsh Government Development Management Manual states that *'Although it is not a criminal offence to carry out development without first obtaining any necessary planning permission, such action is to be discouraged. The fact that enforcement action is discretionary and should be used as a last resort and only when it is expedient, should not be taken as condoning the wilful breach of planning controls. Powers are available to local planning authorities to bring unauthorised development under planning control, and it is for them to decide which power, or combination of powers, to use.'*

Paragraph 14.2.3 states: *'When considering enforcement action, the decisive issue for the local planning authority should be whether the unauthorised development would unacceptably affect public amenity or the existing use of land and buildings meriting protection in the public interest. Enforcement action should be commensurate with the breach of planning control to which it relates; it is usually inappropriate to take formal enforcement action against a trivial or technical breach of planning control which causes no harm to public amenity. The intention should be to remedy the effects of the breach of planning control, not to punish the person(s) carrying out the breach. Nor should enforcement action be taken simply to regularise development for which permission had not been sought, but which is otherwise acceptable.'*

**Policy Context** - The development will not have a detrimental impact on the amenities of the surrounding properties or on the locality and as such the proposal complies with policy PCYFF 2 and PCYFF 3 of the Anglesey and Gwynedd Joint Local Development Plan.

The development does not comply with the guidance contained in the Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment in terms of distances between the rear of the building and the boundary with 19 Ravenspoint Estate. The guidance recommends that a distance of 2.5m should be retained between blank walls and a site boundary and the development as proposed has a distance of 1m between the building and boundary. However as there are no openings in the rear elevation of the building, coupled with its modest single storey construction, it is not considered that the

development will have a detrimental impact on the amenities currently enjoyed by the occupants of the neighbouring properties.

**Impact on amenities of surrounding properties** - Following the discussions with the owner(s) of the neighbouring property(ies) the applicant intends to relocate the building closer to the dwelling. The building will be located 6.1m at its greatest and 3.9m at its shortest point from the rear of the property known as Cimwchod (26 Ravenspoint Estate). An 800mm raised flower bed with an 800mm trellis over the flower bed is proposed along the rear boundary of the site. A 1.5m high fence is proposed along the boundary with 23 Ravenspoint Estate.

Whilst the re-siting of the building has been set back further away from the properties at the rear of the site the proposal will now be located closer, by 20cm, to the boundary with 19 Ravenspoint Estate. There are no openings in the rear of the building which lies along the boundary with 19 Ravenspoint Estate. As advised previously should the structure have been 20cm lower in height the proposal would not require planning permission. It should also be noted that the applicant has permitted development rights to erect a 2m high fence along the whole boundary of the site with the adjoining properties.

Concerns have been raised that the development will result in noise disturbance to the occupants of the neighbouring properties by way of loud music. It is not considered that the use of the building as an annexe will result in noise disturbance. However should noise disturbance materialise as an issue at any point in the future then this matter can be assessed by the officers of the Public Protection Department and appropriate action can be taken in accordance with the requirements of the Environmental Protection Act 1990.

Due to the above it is not considered that the development will have a detrimental impact on the amenities of the neighbouring properties to such a degree as to warrant the refusal of the application.

**Over-development of the site** - The Local Member and owner of the neighbouring property have raised concerns that the proposal results in the over-development of the site. As stated previously if the height of the building was 20cm lower the development would be permitted under Class E of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 and would not require planning permission. Notwithstanding the above, it is considered that there is ample space within the site to accommodate the structure without resulting in the over-development of the site.

## **Conclusion**

On balance, whilst detailed consideration has been given to the objections raised to the proposal it is not considered that these concerns or any other material planning considerations are sufficient to warrant the refusal of the application.

The re-siting and retention of the building is considered acceptable and will not result in the over-development of the site or have a detrimental impact on the amenities of the surrounding properties or upon the locality.

## **Recommendation**

Caniatáu – yn amodol ar dderbyn dim mwy o sylwadau gwrthwynebus nad aethpwyd i'r afael â hwy yng nghorff yr adroddiad hwn.

**(01) 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.**

**Drawing number: 1989-A3-04 - Existing location and site plan**

**Drawing number: 1989-A3-02 - Proposed floor plans and elevations**

**Drawing number: 1989-A3-04a - Proposed location and site plan**  
**Planning justification statement - Cambrian Planning**

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

**(02) The building hereby approved shall be used for purposes incidental to the enjoyment of the dwelling house known as 21 Ravenspoint Estate, Trearddur Bay, and for no commercial or business use.**

Reason: To ensure that inappropriate uses do not take place in the locality.

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/2021/111

**Applicant:** Mr Neil Oldham

**Description:** Full application for change of use of agricultural land into holiday chalet site, siting of 30 holiday chalets buildings, erection of reception building, engineering works to create lake, construction of private roads, construction of parking areas, soft and hard landscaping together with associated works on land at

**Site Address:** Penmynydd Farm, Caergeiliog



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

**Recommendation:** Refuse

**Reason for Reporting to Committee**

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

**Proposal and Site**

The application site is located in rural location abutting the north of the A55 trunk road. Vehicular access would be via junction 4 of the A55.

The main elements of the proposals being applied for are as follows:

- 30 holiday chalets, decking and parking. It has been confirmed that these holiday chalets would be buildings as opposed to caravans. It has further been confirmed that the holiday chalets would share the characteristics of a dwelling but that they can only be occupied for holiday purposes.
- Reception, café and shop building.
- Circulation road and car parking facilities.
- Reception building.
- Lake.
- Surface water drainage system via a Suds system into a watercourse. Foul drainage will be disposed of via a package treatment plant and a soakaway system.

## **Key Issues**

- Planning History and Context
- Principle of Development
- Location and Relationship of the Development with Its Surroundings
- Highway Network Considerations

## **Policies**

### **Joint Local Development Plan**

#### **Anglesey & Gwynedd Joint Local Development Plan (2017) “JLDP”**

PS4 Sustainable Transport Development & Accessibility

PS 5 Sustainable Development

TRA 2 Parking Standards

TRA1 Transport Network Developments

TRA4 Managing Transport Impacts

Strategic Policy PS5 Sustainable Development

Strategic Policy PS6 Alleviating and Adapting to the Effects of Climate Change

PCYFF 2 Development Criteria

PCYFF 3 Design and Place Shaping

PCYFF 4 Design and Landscaping

MAN 6 Retailing in the Countryside

Strategic Policy PS14 The Visitor Economy

PS14 The Visitor Economy

TWR 3 Static Caravan and Chalet Sites and Permanent Alternative Camping Accommodation

TWR 4 Holiday Accommodation

PS 19 Conserving and Where Appropriate Enhancing the Natural Environment

AMG 3 Protecting and Enhancing Features and Qualities That are Distinctive to the Local Landscape Character

AMG 5 Local Biodiversity Conservation

Planning Policy Wales Edition 11 “PPW11”

Technical advice note (TAN) 5: nature conservation and planning “TAN 5”

Technical advice note (TAN) 13: tourism

Technical advice note (TAN) 15: development and flood risk

Technical advice note (TAN) 18: transport

Technical advice note (TAN) 23: economic development

Welsh Government’s Building Better Places: Placemaking and the Covid-19 Recovery (July 2020)

Planning Circular 01/03: Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas

## **Response to Consultation and Publicity**

Welsh Government Agricultural Division: The Department recommends that the site is likely to compromise land of no better than Subgrade 3b, with Grade 4 on the rocky outcrops with limited soil depth. Best and Most Versatile (BMV) Agricultural Land planning policy (PPW 11, paragraphs 3.58 & 3.59) does not apply in this case and a detailed Agricultural Land Classification (ALC) survey will not be required.

Cynghorydd Llinos Medi Huws: No observations received at the time of writing.

Uned Datblygu Economaidd / Economic Development Unit: No observations received at the time of writing.

Llywodraeth Cymru (Priffyrdd/Highways): As the highway authority for the A55 trunk road directs that any permission granted includes a planning condition requiring that the specified design detail improvements within the traffic assessment (including passing places, traffic calming and bi-lingual signage) are completed prior to the development being brought into use. The following matters are also brought to the attention of the applicant:

- 1) The width of the vehicular access with the public highway is limited WG Highways would support a standard/wider open access arrangement given the scale of the development.
- 2) The developer must take into account the Llwybr Newydd and Active Travel Wales Act. Provisions for non-motorised users could be improved significantly at the vehicular access where non-motorised user provision does not align with said documents. Cycling over a cattle grid is a dangerous proposal which could be designed out. As these matters are linked to the county council highway network the council's Highway Department have been asked to consider the point.

Ymgynghorydd Tirwedd / Landscape Advisor: The application was dismissed in an appeal following the refusal of application FPL/2018/2. The Council's decision notice noted that the proposal would be harmful to the character and appearance of the area and would not accord with policies PCYFF2, PCYFF3, PCYFF 4 and TWR 3. Effects on the character and appearance of the area were primarily experienced from the A55 (its southern boundary), in particular the eastern bound carriageway. The appeal decision considered the effect on the character and appearance of the area, and determined that the landscaping scheme and analysis submitted by the applicant demonstrated clearly and the development would integrate into its surroundings and would comply with PCYFF 4 and not harm the character and appearance of the area. The development as noted by the inspector would be partly visible in the summer months where there are gaps in the roadside vegetation. It was noted that the proposed landscaping would be particularly effective on the margins of the site closest to the trunk road. While respecting the Inspector's judgement, I would note the following points that influenced the Council's previous opinion. There are short duration views over a minor section of the A55 to different parts of the site. Due to the undeveloped, wilder nature of the site at present, the nature of the change to these views would be marked and the development, while not wholly visible from any one of these views is of a scale that we considered obtrusive in this context. Landscaping on the boundary with the A55 was limited to land below the embankment and would not in the short or medium reduce views over the site. Vegetation on the embankment was not within the control of the applicant. The units (para 6 of the appeal decision) were noted to potentially have a curved grass roof, which appears to have been taken into consideration in the assessment of effects. I would advise that you seek confirmation of the appearance of the units. Should you be minded to recommend the application for approval, planning conditions on the protection of retained vegetation, storage and/or use of the pond arisings, and the timing of landscaping would be required. Landscaping should take place early on in the development particularly if the caravan units are not installed and in use within a short period. A phased approach to landscaping may be acceptable.

Cynghorydd John Griffith: No observations received at the time of writing.

Prifffyrdd a Trafnidiaeth / Highways and Transportation: After consulting the below application with my colleagues, all highways issues relating to access, passing bays etc. have been addressed as part of the plan. However I would like to raise the following points:

- I would like a Construction Traffic Management Plan
- Confirmation that the passing bays and access improvements will be made at the commencement of construction. Reason – To ensure highway safety.

Cynghorydd Kenneth P. Hughes: Would like the application referred to the planning committee for a decision.

Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor: Finalised comments taking into account NRW's observations awaited at the time of writing.

Iechyd yr Amgylchedd / Environmental Health: Requirements in relation to working hours, nuisance and other regulatory requirements are listed.

Cyngor Cymuned Bodedern Community Council: No observations received at the time of writing.

Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service: Whilst the proposed site falls within an area of archaeological potential, there is no recommendation for mitigation in this instance. Some preliminary work was conducted on this site and it was confirmed that a great deal of groundworks had already disturbed much of the area, likely destroying any archaeological deposits that could have survived below the surface.

Ymgynghoriadau Cynllunio YGC: No observations received at the time of writing.

Cyfoeth Naturiol Cymru / Natural Resources Wales: The submitted ecological report should be included in the list of approved plans and a planning condition is recommended to mitigate impacts on Great Crested Newts which are present on the application site. The proposed development is located 970 metres (and upstream) from the SAC. We advise that a condition requiring the submission of a Construction Environmental Management Plan (CEMP) should be attached to any planning permission to demonstrate that there will be no adverse effects on protected sites. NRW consider the proposals have the potential to impact upon the Valley Lakes SSSI. Providing the impact pathways (via a planning condition) referenced above for the SAC are adequately addressed, NRW consider the features of the SSSI will also be adequately safeguarded.

Diogelu – Y Weinyddiaeth Amddiffyn / MOD Safeguarding: No observations received at the time of writing.

Dwr Cymru Welsh Water: No objections.

Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit: Comments on the following planning policy considerations:

- National Planning Policy guidance recognises the importance of tourism development to the rural economy but also recognises that development should be located in suitable locations. It recognises that new developments in the open countryside away from existing settlements must continue to be strictly controlled. PPW states that development in the countryside should be located within and adjoining those settlements where it can be best accommodated in terms of infrastructure, access and habitat and landscape conservation and in rural areas the majority of new development should be located in those settlements which have relatively good accessibility by non-car modes. PPW also states that all new development should respect the character of the surrounding area and should be of appropriate scale and design.

- The proposed development is a large scale development consisting of 30 chalets and lake. It is located some distance outside the built up areas of neighbouring settlements and is not served by public transport (bus stops are located in Bodedern, Caergeiliog and Llanfihangel yn Nhowyn).
- The proposed development falls into LCA5. The Landscape Sensitivity and Capacity study states that the indicative overall capacity in LCA5 "Outside the AONB and SLA it is considered there may be some capacity for sensitively sited and well-designed very small to small scale developments, which should relate well to the existing built environment/urban landcover". The study defines very small developments as up to 10 units and small developments as 11-25 units. It is considered that, due to its open countryside location, the proposed development does not relate well to the existing built environment/urban land cover therefore fails to conform to criteria 1i) of policy TWR3. Further the scale of the development is considered too large in respect of the guidance as set out within the Landscape Sensitivity and Capacity Study.
- Criteria 1ii) of policy TWR 3 refers to the quality, design, layout and appearance of the proposed new development. National planning policy guidance states that the effect of a development proposal on wildlife or landscape can be a material planning consideration. Section 3.1 of the Tourism Facilities and Accommodation SPG (March 2021) gives guidance on what is meant by high quality developments with paragraph 3.1.1 "This refers to the quality of the development in terms of land-use considerations and not to any recognised grading scheme operated by the tourism industry. In addition to local policy requirements, national policy guidance states that development in rural areas 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 (TAN13: Transport, para 3.11)". Paragraph 3.1.3 aims to identify criteria which help define high quality development in terms of land use planning, which includes: sites located in sustainable location.
- The JLDP policies state that new developments should be located in an unobtrusive location. An unobtrusive location is defined in the plan as one which is 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. Policy AMG3: Protecting and Enhancing features that are Distinctive to the Local Landscape Character, states that proposals must demonstrate that they do not have a significant impact upon features and qualities which are unique to the local landscape in terms of visual, historic, geological ecological or cultural aspects. The proposed site falls into Landscape Character Area 5 which states that any proposals for development or landscape management should reflect: The development pattern of the area, seek to use landform, vegetation patterns to mitigate impacts, Ensure scale, form and materials respect the local vernacular and utilise and retain local field boundary patterns – cloddiau, fences, hedgerows. The proposed development is not in keeping with its natural surroundings as it urbanises a rural location and does not integrate with the landscape. The views of the Built Environment section should be sought whether the proposed development is located in an unobtrusive location or not.
- The main policy to deal with the Shop and the café forming part of the proposal is MAN 6: Retailing in the Countryside. Paragraph 6.3.113 of the JLDP states that normally the most suitable location for shops is within the settlement boundaries of towns and villages. However, small scale shops that are run in conjunction with an existing business on the site, for example, a farm shop, a garden centre or a petrol station can provide a useful service to rural communities by offering a new source of services and employment close to rural homes. However, it is important that the shops should be 'subservient' to the existing business as this would ensure that the shop serves the existing business (rather than merely being sited on the same site) even where the extent of the retail activity is such that it represents a material change in use of the planning use. No information has been submitted in relation to the above criteria.
- The Welsh Language Statement submitted as part of the application is currently being assessed by the JPPU.
- Policy PS 5 (Sustainable Development) supports development which is consistent with sustainable development principle and 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 in PPW and TAN 18. 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: Careful consideration should be given to the principle of the development having taken into consideration the guidance which is provided in PS5, PS14, PPW and TAN 18.

Swyddog Hawliau Tramwy Cyhoeddus/ Public Rights of Way Officer: No observations received at the time of writing.

The major planning application has been publicised and the notification period expired on the 01.07.21. Two objections have been received on the following grounds:

- Worry with regards to the excess water that will inevitably flow from the soakaway situated on the North Western side of the site. We have previously provided photographic evidence of flooding that already takes place to the watercourse during the wetter months of the year. Our worry is that even more water flowing from this proposed site, especially from the soakaway, will further effect the condition of the land of the farms noted here, as well as further land along the same watercourse to the Caergeiliog / Valley side of the A55 road.
- We have also previously mentioned the site's close proximity to the A55 dual carriageway. The applicant is obviously attempting to change the use of land that has little more use than for pasture. The proposed site is situated in a bowl below the level of the road and has very limited views. It will take years to establish enough vegetation growth (if it ever will) surrounding the site to achieve the desired look and privacy the applicant desires.
- We question if the targeted customers, who will be expected to pay a premium price to stay at such a proposed high end holiday location, will be attracted to a bare / open area that is subject to the constant noise created by such a busy road that looks down upon it. This location is by no means a peaceful rural location. The site's potential failure to meet customers' high expectations will effect demand. This will subsequently endanger the long term future of this proposal as a long term employer and indeed its existence as a business entity within the locality.

### **Relevant Planning History**

13C198/TR Full Planning - Full application for the siting of 30 chalets, erection of a reception building, creation of a fishing lake and the formation of an access road and parking areas together with associated landscaping and other works at Withdrawn 27.07.18.

13C198A/TR/SCR - Screening Opinion - Full application for the siting of 30 chalets, erection of a reception building, creation of a fishing lake and the formation of an access road and parking areas together with associated landscaping and other works. Environmental Impact Assessment Required 27.02.18.

13C198B/TR/SCR - Screening opinion for the siting of 30 chalets, erection of a reception building, creation. Environmental Impact Assessment Not Required 19.09.18.

FPL/2018/2 -Full application for the siting of 30 chalets, reception building, and creation of lake together with the formation of associated access road & parking areas, landscaping, and other associated works on land - Refused Appeal Dismissed, 26/02/2020.

SCR/2021/37 Screening opinion for: Full application for change of use of agricultural land into holiday chalet site, siting of 30 holiday chalets, erection of reception building, engineering works to create lake, construction of private roads, construction of parking areas, soft and hard landscaping together with associated works on land Environmental Impact Assessment Not Required 15/07/2021.

## Main Planning Considerations

**Planning History and Context** An application for a similar proposal was refused by the council under reference number FPL/2018/2 and the subsequent appeal was dismissed on the 26/02/2020. Whilst the Inspector did not accept all the council's arguments in terms of why the appeal should be refused it was concluded that the appeal should be dismissed because the proposal is not in a sustainable location because it was not well served by local services or public transport for it to be described as accessible by means of active travel and public transport. Further that it would lead to a significant increase in the number of trips by private car. The planning application thus follows a very recent appeal decision in respect of a very similar development which the Planning Inspectorate decided was unacceptable on the aforementioned grounds in contravention of PPW objectives.

There are provisions in section 70 of the town and country planning act which allows the council to decline to determine an application for a similar development within two years of appeal for a similar development being refused. It has been confirmed that the scheme subject to the current application differs from that subject to the aforementioned planning appeal in the following respects:

- The reception building will increase the self-containment and sustainability of the development by the including a shop selling essentials and a café so that visitors can eat on site.
- Cycle hire facilities including electric bikes will be available.
- Facilities to hire canoes and paddle boards to encourage visitors to use the lake on the development and again increase self-containment.
- Revised Transport Statement and Interim Travel Plan which provide greater information and changes to the nature of the proposal.

Given the changes above the Local Planning Authority have erred on the side of caution and chose not exercise the provisions of section 70a of the planning act and an assessment of the proposal having regard to the Inspectors' decision which is a significant material consideration is undertaken in the report below.

Member will also note from the planning history section that a screening opinion has been issued under the Town and Country Planning (Environmental Impact Assessment "EIA") (Wales) Regulations 2017 "EIA Regulations" and that it was decided that this was not EIA development (where an Environmental Statement and other requirements under the EIA Regulations would apply).

**Principle of Development** In accordance with section 38(6) of the Planning and Compulsory Purchase Act (2004) it is necessary to ensure that planning applications conform to the adopted development plan unless material planning considerations indicate otherwise. The development plan comprises the JLDP and other material planning considerations will include PPW11 and the TAN's listed previously in this report. It is material that since the planning appeal on planning application FPL/2018/2 was dismissed that the SPG Tourism Facilities and Accommodation has been adopted by the council and is thus a material consideration in determining this planning application which should be attributed substantial weight given that it is consistent with the development plan, has been subject to public consultation and formally adopted by the council.

The application site is located in the countryside under the provisions of policy PCYFF 1 of the JLDP and the policy states that outside development boundaries development will be resisted unless it is in accordance with specific policies in the plan or national planning policies and other material planning considerations. The policy is reflective of national planning policies which are described in the comments of the JPPU and essentially that new developments in the open countryside should be strictly controlled, and should be located within or adjoining those settlements where it can best be accommodated in terms of infrastructure, access, habitat and landscape conservation and that in rural areas the majority of new development should be located in those settlements which have relatively good accessibility by non-car modes.

TAN 18 at paragraph 3.2 similarly 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 in the development plan.

Policy TWR 3 permits chalet developments of the type being applied for in this location subject to criteria i, ii and iii being met.

Criteria ii of policy TWR 3 requires that the proposed development is of a high quality in terms of design, layout and appearance, and is sited in an unobtrusive location which is well screened by existing landscape features and/or the units can readily be assimilated into the landscape in a way which does not significantly harm the visual quality of the landscape. The SPG Tourism Facilities and Accommodation lists factors which will be assessed in determining whether a development is high quality. One of the considerations includes sites being in a sustainable location i.e. within or close to existing settlements and not lying in open countryside unless there is robust justification for this. The Inspector in the decision on planning application FPL/2018/2 attributed little weight to this guidance previously as it was not formally adopted but its adoption is a material change in circumstances which gives additional weight to the objection to the development on sustainability grounds.

In terms of the sustainability credential of the proposed development having regard to the policy considerations described above the following are considered material considerations. It is the LPA's view that the proposal is not well related to the nearest settlements or the public transport network. In terms of distances from the nearest settlement the distance from the proposed development to Bodedern is approximately 2400m. The distance from the proposed development to the nearest bus stop (located on the A5 near Caergeiliog) is 1040m. The distance to Caergeiliog itself is 2100m. The proposed development would therefore not be readily accessible by foot to the nearest settlements and the public transport system.

The assessment above is consistent with the conclusion of the Planning Inspector who dismissed appeal on planning application FPL/2018/2 on 26/02/2020. In addition it is the council's view that the notwithstanding the changes that the applicants state has been made to this planning application (and described above) it still remains a very similar development to that which the Planning Inspectorate decided was unacceptable. It is also material that the Planning Inspectorate decision stated that the provision of a Travel Plan (which is one of changes made to this application) would not assist to any significant extent.

It has been confirmed that the reception building will increase the self-containment and sustainability of the development by the including a shop selling essentials and a café so that visitors can eat on site. Policy MAN 6 of the JLDP is material in determining proposals for retail developments in the countryside and permits small scale shops subject to the listed criteria. It is considered that the proposal runs contrary to several provisions of this policy in that (1) the facilities are not subservient to an element of an existing business (3) priority has not been given to using an existing building and that the development (5) is not accessible via sustainable means of transport. As the retail use here are a subservient element of the holiday development and an objection is not raised on these grounds based on MAN 6. The inclusion of these retail elements to make the development more self-contained however reinforces the council's view that the proposed development is located in an unsustainable location. It also contravenes the thrust of PPW guidance which indicates that holiday developments of this type should be located within or adjoining those settlements where it can best be accommodated.

Criteria i. of policy TWR 3 requires it can be demonstrated that the proposed development doesn't lead to a significant intensification in the provision of static caravan, chalet or permanent alternative camping sites in the locality. As explained in the JPPU comments the proposed development falls into LCA5 where it is considered there may be some capacity for sensitively sited and well-designed very small (up to 10 units) to small scale (11-25) developments, which should relate well to the existing built environment/urban land cover. Further the scale of the development is considered too large in respect of the guidance as set out within the Landscape Sensitivity and Capacity Study. This was formerly part of the council's reason for refusal on planning application FPL/2018/2 but this reason was not accepted by



the Inspector in dismissing the appeal on planning application FPL/2018/2, and no objection is therefore raised on this basis to the current application and the Inspector's decision is a significant material consideration.

**Location and Relationship of the Development with Its Surroundings** As well as the requirements in policy TWR 3 that the development is of a high quality in terms of design, layout and appearance there are also more generic policies which are material considerations in determining whether the proposal can be regarded as high quality development. PCYFF 3 (Design and Place Shaping) requires that all proposals are expected to demonstrate high quality design taking into account the natural environmental context. The policy states that proposals will only be permitted where the proposal conforms to all relevant criterion. The first criterion requires that the proposal complements and enhances the character and appearance of the site in terms of amongst other considerations scale and appearance. The second criterion requires that the proposal respects the context of the site and its place within the local landscape including its impact on principal gateways into Anglesey. Policy PCYFF 4 (Design and Landscaping) requires that all proposals should integrate into their surroundings and that proposals that fail to show (in a manner appropriate to the nature, scale and location of the proposed development) how landscaping has been considered from the outset as part of the design proposal will be refused. The SPG Tourism Facilities and Accommodation lists factors which will be assessed in determining whether a development is high quality.

The council previously refused planning permission FPL/2018/2 on the grounds that the development would be harmful to the character and appearance of the area. The Inspector, however concluded that although the development is located in the countryside it was appropriate in this location and would not have a harmful impact on the character or appearance of the surrounding countryside. Whilst Officers still have concerns in relation to these matters some of which are described in the comments of the JPPU and the Landscape Officer the Inspector's decision is a significant material consideration and no objection is now raised on these grounds.

**Highway Network Considerations** Criteria 1 iii. of policy TWR 3 requires that the site is close to the main highway network and that adequate access can be provided without significantly harming landscape characteristics and features. The proposed development is essentially served by an existing private track which already serves the applicant's property with access to the public highway near junction 4 of the A55 around 0.35 miles to the east. Given that the track is essentially existing it is considered that adequate access can be provided without significantly harming landscape characteristics and features. The access is also on the main highway network and no objections are raised by either Welsh Government Highways or the council's Highways subject to the matters listed which could be dealt with by way of a planning condition and on this basis the proposal is considered compliant with policy. The council's Highway Section are considering Welsh Government Highway comments as regards non-motorised users and the impact of the cattle grid on the public highway on cyclist safety.

**Other Considerations** The development subject to this application is upstream of Llyn Dinam Special Area of Conservation "SAC" and Valley Lakes Site of Special Scientific Interest "SSSI". Under the Conservation (Natural Habitats etc.) Regulations 2017 (as amended) Appropriate Assessment (Regulation 63) Appropriate Assessment of the relevant hazards of the proposed development and their likely consequences for the European site (being the SAC) has been undertaken by the Local Planning Authority and it has been concluded that there would not be a significant effect on the European site.

In terms of protected species notably Greater Crested Newts Natural Resources Wales and the council's Ecological and Environmental Adviser are satisfied with the proposed development subject to adherence with the submitted ecological survey. As per NRW comments a separate European Protected Species "EPS" licence would be required for the works that would impact on Great Crested Newts and they are content subject to a planning condition being attached to any planning permission granted.

Objections have been received on surface water flooding grounds. A Sustainable Urban Drainage System "Suds" approval will be required separately to the Suds Approving Body "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.

## **Conclusion**

Notwithstanding the changes made to the proposal subject to this planning application they are very similar to those which were recently dismissed at appeal on a fundamental matter of principle in relation to the sustainability of the location. It is also considered that there have been no material change in circumstances since this planning appeal was dismissed other than the adoption of PPW 11 and the SPG Tourism Facilities and Accommodation, which now adds greater weight to the local planning authority's previous objections to the development given that this guidance makes it clear that the definition of high quality includes consideration of sustainability of the location.

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

In terms of the Well-being of Future Generations (Wales) Act 2015 it is considered that whilst the proposed development contribute towards a more prosperous and resilient Wales in terms of the economic improvements being proposed as part of the development this is outweighed by considerations in relation to global responsibility, cohesive communities.

## **Recommendation**

That the planning application is REFUSED for the following reason:

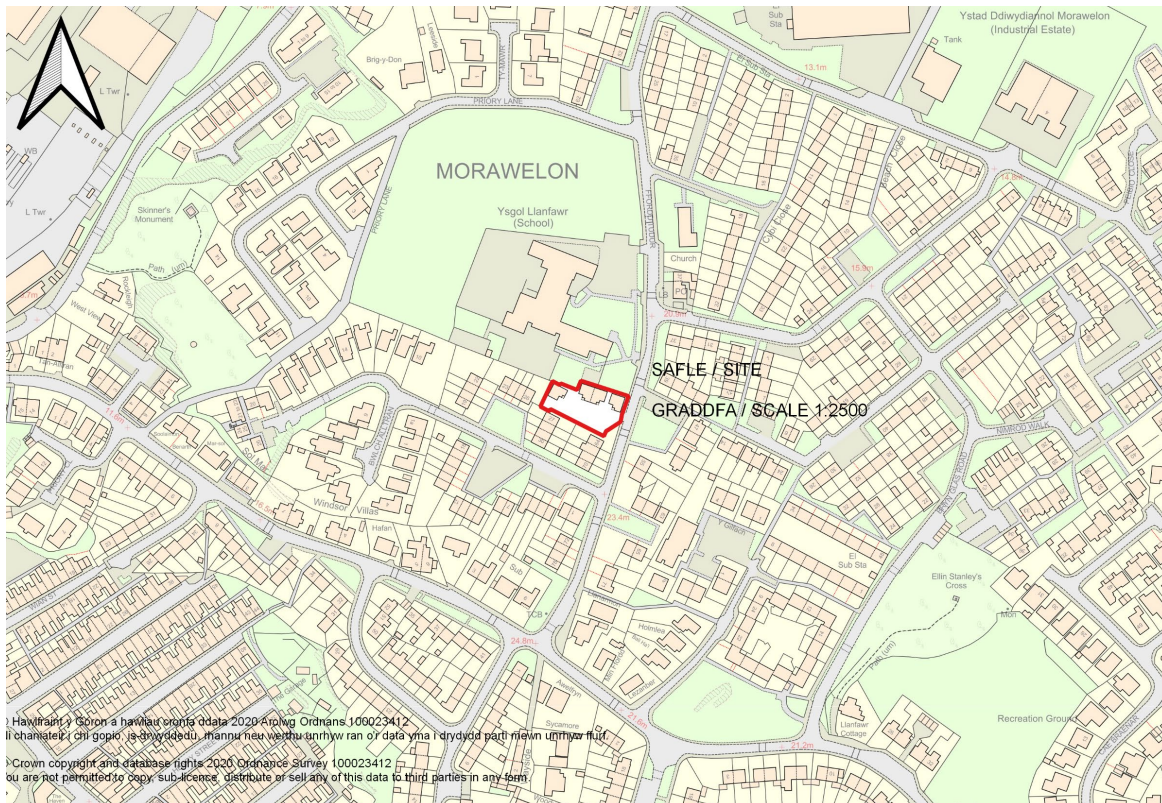
(01) The proposal is not in a sustainable location and well served by local services or public transport and would lead to a significant increase in the number of trips by private car. This would contravene the provisions of policy TWR 3 of the Anglesey and Gwynedd Joint Local Development Plan (2017), Supplementary Planning Guidance Tourism Facilities and Accommodation (May 2021), Planning Policy Wales Edition 11 (February 2021) and Technical advice note (TAN) 18: Transport (2007).

**Application Reference: MAO/2021/21**

**Applicant:** Head of Service - Housing

**Description:** Minor amendments to scheme previously approved under planning permission FPL/2018/4 so as to amend wording of condition 8 (Foul water only to connect to public sewer) so as to allow surface water to connect to public sewer at

**Site Address:** Swn y Gwynt, Holyhead



**Report of Head of Regulation and Economic Development Service (David Parr-Sturgess)**

**Recommendation:** Permit

**Reason for Reporting to Committee**

The Isle of Anglesey County Council are the applicant and the landowner.

**Proposal and Site**

The application is for the non-material amendment of condition (08) (Foul water only to connect to public sewer) to amend the condition so as to allow surface water to connect into the public sewer system.

## Key Issues

The applications key issue is whether the proposal would have a negative impact on the public sewer system and the areas amenities if surface water was allowed to discharge into the public sewer system.

## Policies

### Joint Local Development Plan

Policy PCYFF 2: Development Criteria  
Technical Advice Note 12: Design (2016)

### Response to Consultation and Publicity

| Consultee             | Response                                                                                                                                     |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| Dwr Cymru Welsh Water | No objection to amend the wording of condition 8 to enable both foul and surface water flows to communicate into the public sewerage system. |

No publicity required.

### Relevant Planning History

DIS/2019/24 - Cais ar gyfer rhyddhau amodau (04) (Cynllun Rheoli Traffig Adeiladu), (06) (darpariaeth ar gyfer tai fforddiadwy), (07) (cyllun manwl ar gyfer yr ardd gymunedol) o caniatad cynllunio FPL/2018/4 (cais llawn ar gyferdymchwel y modurdai presennol ynghyd a chodi 4 annedd un person yn cynnwys lle parcio) yn / Application for discharge of conditions (04) (Construction Traffic Management Plan), (06) (provision of affordable housing) and (07) (detailed plan for the communal garden) of planning application FPL/2018/4 (full application for demolition of the existing garages together with the erection of 4 single person dwellings with associated parking) at - Maes yr Ysgol, Caergybi / Holyhead - [object Object] - Amod Wedi'i Ryddhau yn Rhannol / Condition Partially Discharged

FPL/2018/4 - Cais llawn ar gyfer dymchwel y modurdai presennol ynghyd a chodi 4 annedd un person yn cynnwys lle parcio yn / Full application for demolition of the existing garages together with the erection of 4 single person dwellings with associated parking at - Maes yr Ysgol, Caergybi/Holyhead - [object Object] - Caniatáu / Permit

19C1195/RE/SCO - Scoping Opinion - Barn sgopio ar gyfer y datblygiad cysylltiedig ar y glannau a'r lleoliad tirlenwi ceblau sy'n gysylltiedig â datblygiad arfaethedig Parth Datblygu Llanwol Morlais oddi ar arfordir Caergybi ar rhannau o / Scoping opinion for the on-shore associated develo - Caergybi ac Y Fali / Holyhead and Valley

19LPA1038/CC - Full Planning - Cais llawn ar gyfer dymchwel y modurdai presennol ynghyd a codi 4 annedd un person yn cynnwys lle parcio yn / Full application for demolition of the existing garages together with the erection of 4 single person dwellings with associated parking at - Maes Yr Ysgol, Caergybi/Holyhead

### Main Planning Considerations

The Welsh Governments 'Planning Guidance: Approving Non-material Amendments to an Existing Planning Permission' sets out guidelines as to what is deemed as a 'non-material' amendment. It states:

*26. In deciding whether or not a proposed change is non-material, consideration should be given to the effect of the change, together with any previous changes made to the original planning permission. When*

*assessing and determining whether or not a proposed change would qualify as a non material amendment, local planning authorities may wish to consider the following tests:*

*(a)(i) is the scale of the proposed change great enough to cause an impact different to that caused by the original approved development scheme; and,*

*(a)(ii) would the proposed change result in a detrimental impact either visually or in terms of local amenity?*

*(b) would the interests of any third party or body be disadvantaged in planning terms; or,*

*(c) would the proposed change conflict with national or development plan policies?*

*27. The tests are considered a 'starting point' for local planning authorities in their consideration of non-material amendments. There may be other considerations that will identify if a proposed amendment is non-material depending on the circumstances of each case.*

The previously approved planning application FPL/2018/4, was for the demolition of the existing garages together with the erection of 4 single person dwellings with associated parking. Welsh Water were consulted and advised that only foul water should discharge into the public sewerage system. Condition (08) of the decision notice stated:

***(08) Only foul water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made between manhole reference number SH25822104 and SH25823102 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.***

*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.*

This application reference MAO/2021/21 wishes to amend the above condition (08) so that the sites surface water is allowed to discharge into the public sewer system with the sites foul water, as shown on the previously approved site plan of application FPL/2018/4.

Consultation response from Welsh Water to the proposed amendment to condition 8 stated:

*Following on from grant of planning permission FPL/2018/4, and our original response (Ref: PLA0038682) to the application, we refer to discussions with the developers and can confirm an agreement to communicate both foul and surface water flows into the public sewerage system. Accordingly, we offer no objection in principle to this latest application (Ref: MAO/2021/21) to amend the wording of condition 8 to enable both foul and surface water flows to communicate into the public sewerage system.*

## **Conclusion**

It is recommended that the application is approved after receiving confirmation from Welsh Water that the proposed amendment to condition 8 is reasonable.

## **Recommendation**

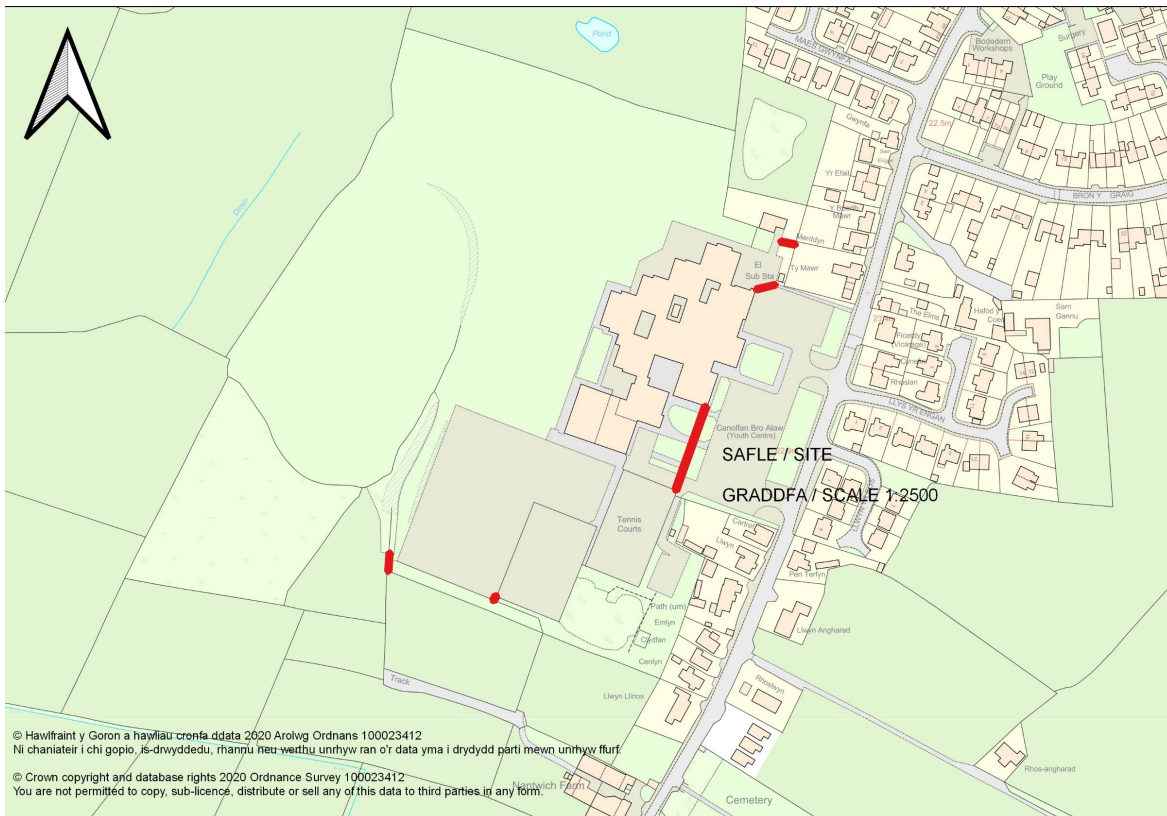
***(08) Foul water and surface water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made between manhole reference number SH25822104 and SH25823102 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.***

*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*

**This decision should be read in conjunction with conditions imposed on planning permission FPL/2018/4.**

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.

**Site Address:** Ysgol Uwchradd Bodedern, Bodedern



The applications key issue is whether the proposal would have a negative impact on the existing building, the surrounding area or neighbouring residential properties.



## Policies

### Joint Local Development Plan

Policy PCYFF 2: Development Criteria  
Policy ISA 2: Community Facilities  
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)

### Response to Consultation and Publicity

| Consultee                                 | Response                               |
|-------------------------------------------|----------------------------------------|
| Cynghorydd John Griffith                  | No observation at the time of writing. |
| Cynghorydd Kenneth P. Hughes              | No observation at the time of writing  |
| Cynghorydd Llinos Medi Huws               | No observation at the time of writing  |
| Cyngor Cymuned Bodedern Community Council | No observation at the time of writing  |

### Response to Publicity

Letters were sent to neighbouring properties. The expiry date for receiving representations was the 16/07/2021. At the time of writing this report no letters were received.

### Relevant Planning History

13LPA877/CC - Cais llawn ar gyfer creu cae synthetig, maes pel-droed, maes parcio ynghyd a codi ffens 5m a 3m o uchder o amgylch y cae synthetig yn / Full application for the creation of a synthetic pitch, grassed football pitch, car parking area together with the erection of a 5m and 3m fence around the synthetic pitch at Ysgol Uwchradd Bodedern, Bodedern. Caniatáu / Permitted

### Main Planning Considerations

POLICY PCYFF2 sets out the priority criteria, not covered elsewhere in the Plan which new development will need to meet, in principle, in achieving sustainable and appropriately located development. The policy also states that proposals should not impact on the surrounding areas amenities or on adjacent land. The proposed development will have little to no impact on the amenities of the surrounding area.

POLICY PCYFF3 states all proposals will be expected to demonstrate high quality design which fully takes into account the natural, historic and built environment context and contributes to the creation of attractive, sustainable places. Innovative and energy efficient design will be particularly encouraged. The proposed development is considered to meet a high quality of design, would improve security at the school with the fences not having a negative impact on the existing buildings character or appearance.

POLICY ISA2 states that applications to enhance school facilities will be supported. The proposed development will enhance the schools security ensuring safety for the students, teachers, members of staff, members of the public and also be a deterrent for trespassers.

The proposed development is to erect 2.15 metre high fences at five locations on the school grounds with access gates at all locations.

The siting of the proposed development is considered reasonable with the five fences and gates positioned so as to create a safe boundary fence for the school which keeps students and staff safe together with preventing trespassing.



The scale is considered reasonable with the fences measuring 2.15 metres in height and would not have a negative impact on the existing building or surrounding area.

The design and appearance of the fences are considered reasonable with the steel fencing not having a negative impact on the existing buildings character or appearance.

### **Conclusion**

It is considered that proposed development is acceptable in policy terms, improve the buildings security, improve safety for students and staff together with the appearance not having a negative impact on the existing building's character and appearance.

### **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 FPL/2020/70.**

- **Location Plan – AL/14085/01 – Dated May 2021**
- **Location of Proposed Fence on School Grounds – AL/14085/02 – Dated May 2021**
- **Zebex Z3 Product Information Details**

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, ISA 2, PCYFF 3.

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.

The application relates to the Mona Dairy Building which is located on the entrance to the Mona Industrial Estate. The proposed development comprises the erection of a food production warehouse, extension to the existing building to create a brining area, erection of an Effluent Treatment Plant building, creation of attenuation ponds, erection of a building to accommodate Dissolved Air Flotation (DAF) units, alterations to the existing access points and amendments to existing parking, de-adoption of part of the existing

adopted highway such that the area is within the development, landscaping and other associated works. The planning application is partly retrospective in that part of the foundations of the Effluent Treatment Plant building and balance tank have already been installed.

The application includes details and colours of the cladding to be used on the various buildings which are generally silver and grey.

## **Key Issues**

Planning History & Context  
Principle of Development  
Sustainability and Highways Considerations  
Residential Amenity  
Special Landscape Area "SLA"

## **Policies**

### **Joint Local Development Plan**

Anglesey and Gwynedd Joint Local Development Plan (2017) "JLDP"

PS4 Sustainable Transport Development & Accessibility  
PS 5 Sustainable Development  
TRA 2 Parking Standards  
TRA1 Transport Network Developments  
TRA4 Managing Transport Impacts  
PS5 Sustainable Development  
PS6 Alleviating and Adapting to the Effects of Climate Change  
PCYFF1 Development Boundaries  
PCYFF2 Development Criteria  
PCYFF3 Design and Place Shaping  
PCYFF4 Design and Landscaping  
PS 4 Sustainable Transport, Development and Accessibility  
PS 13 Providing Opportunity for a Flourishing Economy  
CYF 1 (C31) Safeguarding, Allocating and Reserving Land and Units for Employment Use  
AMG 2 Special Landscape Areas  
AMG 5 Local Biodiversity Conservation  
PS 20: Preserving and Where Appropriate Enhancing Heritage Assets

Planning Policy Wales Edition 11 (2021) "PPW"

Technical Advice Note (TAN) 5: Nature Conservations and Planning  
Technical advice note (TAN) 18: transport  
Technical Advice Note (TAN) 23: Economic Development (2014)

Technical Advice Note (TAN) 20: Planning and the Welsh Language (2017) "TAN 20"

Technical Advice Note (TAN) 24: The Historic Environment (2017) "TAN 24"

Planning Circular 01/03: Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas

Welsh Government's Building Better Places: Placemaking and the Covid-19 Recovery (July 2020)

## **Response to Consultation and Publicity**

Cynghorydd Nicola Roberts: No observations received at the time of writing.

Cynghorydd Dylan Rees: No observations received at the time of writing.

Cynghorydd Bob Parry: No observations received at the time of writing.

Cyngor Cymuned Bodffordd Community Council: No objection.

Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit: Comments awaited at the time of writing.

Prifffyrdd a Trafnidiaeth / Highways and Transportation: Comments awaited at the time of writing.

Iechyd yr Amgylchedd / Environmental Health: Conditions in relation to working hours and any rock breaking are recommended. All the recommendations in the acoustic report should be adopted in order to minimise any potential noise issues associated with this extension to the existing plant. Furthermore, consideration should also be given to increasing the height of the acoustic barrier (i.e. an earth bund along the site boundary as proposed in Para 5.13) from 2.0 metres to 2.5 metres (or higher) if this is practicable.

This could potential be achieved through a combination of the 2.0 metre earth bund, and an additional acoustic wooden; either absorptive or reflective, fencing on top. Provided the density of the fence equated to an approximate superficial mass of >20kg/m<sup>2</sup>. The rationale for this is that the higher the earth bund, the more the attenuation is increased; please refer to the acoustic report comments Pages 20 and 21 Paragraphs 4.83 to 4.102 for a further explanation."

Diogelu – Y Weinyddiaeth Amddiffyn / MOD Safeguarding: At the time of writing they have requested that the applicant provides information on the height and grid reference co-ordinates of various elements of the proposal.

Dwr Cymru Welsh Water: A planning condition is recommended requiring approval of a foul drainage scheme. Advisory notes are also recommended in relation to separate Suds approval requirements, public sewer and water supply connections, lateral drains and water supplies present on the application site.

YGC (Ymgynhoriaeth Gwynedd Consultancy): Comments awaited at the time of writing.

Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor: Preliminary Ecological Assessment: Whilst there is some coverage in relation to protected species and habitats, more material is required to assess the ecological implications of the proposal in view of the Council's duty under the Environment Wales Act (2016) to seek to maintain and enhance biodiversity whilst carrying out its functions, and instructions from the Chief Planner to Heads of Planning (Oct 2019) on application of this duty in planning cases. My main concerns are i) that most areas shown as species rich grassland in 2018 are proposed to be lost to the development, or may have already been cleared ahead of the application. ii) that overall biodiversity enhancement in line with the above requirements may not be achievable on this site, and, if that is the case, that either the proposal should be altered, or a suitable off-site solution will need to be found. Summary: more material is required, including evaluation of impacts (both recent past and proposed) on overall biodiversity, and taking these into account, a basic conclusion as to whether, and how, overall biodiversity enhancement can be achieved.

Cyfoeth Naturiol Cymru / Natural Resources Wales:

Protected Species - NRW are in receipt of the preliminary ecological assessment which has not found any evidence of protected species on site that could be impacted, other than the potential for reptiles to be present (Section 7 species). From the information submitted, we

consider that the proposed development represents a lower risk for protected species. Your ecological adviser may wish to determine whether an updated survey may be required to support this application. The report must be included in the 'approved list of plans / documents' condition within the decision notice should consent for the project be granted.

Environmental Permit - It appears possible from the limited information available that the site might require a permit for activities under Section 6.8 A(1)(e) of the Environmental Permitting Regulations 2016 for Treating and processing milk, the quantity of milk received being more than 200 tonnes per day (average value on an annual basis). Other activities may also be applicable depending on the scope of activities taking place on site. Details of the proposed processing and production capacity and other activities would be required to provide further consideration, and it remains the operator's responsibility to determine if the relevant threshold will be exceeded, and to make an application as appropriate. It is advisable that the developer makes contact with NRW to enable pre-application discussions to take place at the earliest opportunity. As part of the application process the operator would need to carry out environmental risk assessments including emission points, energy and raw materials usage, odour, noise and vibration, visible and fugitive emissions. When making an application the operator must state how they intend to operate in line with the relevant Best Available Techniques documents issued by EIPPC: In the event that a site begins operations at a level below the threshold for requiring an installation permit, then increases above that threshold it can prove problematic to retrospectively obtain background assessments of amenity such as noise, and may require any operating plant to be shut down to allow an assessment to be made without the impact of the plant running. An EPR Installation permit would not include specific numerical limits in relation to noise or odour, instead the permit refers to the operating techniques stated in any application documents and requires the operator to have an Environmental Management System. To date NRW have not been approached for pre-application discussions, nor has an application been made for the proposed Mona Dairy site, so no reliance should be placed on the EPR permit application process to assess or control potential amenity issues.

Uned Datblygu Economaidd / Economic Development Unit: Support of the application. The report with the bid states that this new £ 20m cheese factory project will create 30 jobs in phase 1 and 34 jobs in phase 2 (which is the subject of this bid), and support 35 dairy farms in Wales. Local employment opportunities should be maximized, and the company should contact a local employment agency such as MonCF if they are not already in contact. The Welsh Government is financially supporting this investment, which is mainly from the private sector. This building was originally created by the WDA as a food production unit. The proposal will remove potential turning space for large vehicles on part of the estate road, and consideration needs to be given to whether this is acceptable - as this short spur only serves the electrical substation and may not need one. Highways view on this should be sought and the Certificate B shows that part of the application affects land in the ownership of the council but it is not clear where – it is assumed that this is the 'spur' road access above - the blue boundary on the application plan should match with that. Supportive of the application and the jobs that want to be created especially in the middle of Covid's pandemic so welcome these. Mona estate is a successful one and an important employment site for the island. Investment here - with support from WG - in important sectors of the Island, agriculture and food. Recommend to support the application.

Ymgynghorydd Tirwedd / Landscape Advisor: Comments awaited at the time of writing.

GCAG / GAPS: Whilst there is a general potential for early 20th century structures in the area – there is no recommendation for mitigation in this instance. The potential comes from the airfield, however it is thought that much of the material in this area has been removed and that the sub-surface potential is low.

Cadw Scheduled Monuments: Comments awaited at the time of writing.

Adjacent properties have been notified by letter and the notification period expired on the 24.06.21. No observations were received.

## Relevant Planning History

14C28H/2/ECON - Full application for alterations and extensions which includes the installation of silos at Conditionally approved 25.06.19.

14C28C/TR Erection of a 25,000 square foot speculative food production unit Conditionally approved 03.12.97. Condition (08) of the planning permission restricted the use of the building to B1, B2 and B8 purposes. This planning permission did not extend to the eastern plot now partly encompassed by the planning permission subject to this report. There are no restrictions in terms of working hours or days on this planning permission.

## Main Planning Considerations

Planning History & Context Planning permission has been granted in 2019 under reference 14C28H/2/ECON to adapt and extend the existing unit on this site into a cheese production factory including the erection of 17 milk silos. The proposal also entailed extending the development onto part of the adjoining industrial plot to the south east of the application site, this part of the development comprised 20 vertical silo tanks, tanks and an evap building with tallest of the structures on this part of the development attaining a height of around 14.2 metres. It was accepted at the time that the cheese production factory would operate 7 days a week on 24 hour basis.

The Planning Statement submitted with this planning application explains that the proposals subject to this report form the second phase of the in creating a modern cheese production factory on this site which would increase production from 2, 500 tonnes to 7, 800 tonnes per annum and broaden the variety of cheese which will be produced. It is also explained that 70 million litres of milk per annum would be utilised from 35 Welsh farms in producing this volume of cheese.

**Principle of Development** Strategic policy PS 5 states that development will be supported where it can be demonstrated to be consistent with the principles of sustainable development and complies with the listed criteria (1. to 8.) where applicable. Of relevance to the proposal is that it will contribute towards a varied range of employment opportunities and the promotion of a varied and responsive local economy that encourages investment that supports the settlement strategy in the plan.

Strategic policy PS 13 states that whilst seeking to protect and enhance the natural environment the council will facilitate economic growth in accordance with the spatial strategy by (4) amongst other means supporting economic prosperity of rural communities by facilitating extension of existing businesses.

The proposed development is located within an area forming part of allocation C31 under policy CYF 1 JLDP which safeguards the Mona Industrial Estate for B2 (General Industrial) and B8 (Storage and Distribution). As per the comments of the council's Economic Development Units the proposal to create a modern cheese production facility on this is supported given the level of investment proposed, the jobs to be created on the site and in associated agricultural units in Wales.

Whilst the application site and the industrial estate as a whole are located away from the nearest settlements at Gwalchmai and Bodffordd. They are located on the main Holyhead to Bangor bus route (which are highest order settlements in the settlement strategy of the JLDP) and there is a bus stop on the industrial estate in close proximity to the application site. In this regard the proposed development can be regarded as being in a relatively sustainable location based on the accessibility to public transport in Anglesey's rural context.

Given that the unit subject to the planning permission already has a lawful use as a cheese production factory and that the application site is located within an allocation which safeguards the industrial estate for these purposes the principal of the development is clearly acceptable.

**Residential Amenity** The application site is also within allocation C31 which allocates the site for the B2 purposes. As explained previously part of the application site has been granted planning permission for a cheese production factory which would operate 7 days a week for 24 hours a day. These are material considerations in assessing the impact of the development on the residential amenities of the area.

The nearest residential properties are at Cae Eithin to the south east and Mona Vista to the north west. Both are around 200 meters away from the application site. In addition there are other use commercial uses on the Mona Industrial Estate.

As explained in the consultation response section of this report a permit will be required from NRW once the processing of milk exceeds 200 tons per day. It is understood that this is a separate regulatory process which will regulate matters including noise, odour and other matters relating to residential amenity to a satisfactory best practice standards but NRW confirm in their consultation that no reliance should be placed on this separate permit process to assess or control potential amenity issues. The NRW comments have been passed to the council's Environmental Health Section for their consideration.

In terms of noise the council's Environmental Health Section has confirmed that subject to adherence to the noise report submitted with the planning application that there are no objections but they have made recommendations to increase the height of the acoustic barrier, and this matter is currently being considered by the applicant's.

**Ecology and Biodiversity** The Council has a duty under the Environment Wales Act (2016) to seek to maintain and enhance biodiversity whilst carrying out its functions as described in the comments of the Ecological and Environmental Adviser. Further the council's Ecological and Environmental Adviser is concerned that the area shown to be retained as species rich grassland under the provisions 14C28H/2/ECON is being lost as part of the current proposal and that a net overall gain in biodiversity as required by the guidance will not be achieved and further assessment is thus required taking into account these requirements. Discussion have taken place with the applicant's who are currently assessing the options including off site mitigation.

**Special Landscape Area "SLA"** Policy PCYFF 4 which requires that all proposals should integrate into their surroundings, proposals that fail to show in a manner appropriate to the nature, scale and location how landscaping has been considered will be refused. The application site is located on an industrial estate and the development will primarily be viewed against the backdrop of the existing industrial estate and in the context of the adjacent airfield. No objections are raised by the council's Landscape Adviser. In these circumstances taking into account the nature, scale and location of the development it is not considered that the proposal conflicts with PCYFF 4 subject to a requirement by way of a planning condition of landscaping scheme for that part of the application site which is currently undeveloped.

**Other Material Consideration** Mona Airfield is located in close proximity to the north west and is used by military aircraft for training purposes. The MOD have requested further information on the heights and positions of various elements of the development and will provide further comments based on this.

There is a spur on the public highway providing access to the south eastern part of the application site. As part of the proposals this part of the public highway would be de-adopted and the area will then form part of the service area of the cheese production plant. Comments on this and other highway aspects are awaited at the time of writing.

There is a scheduled ancient monument (Graiglas Barrow) around 380 metres to the south west. When considering development proposals that affect the setting of a scheduled there is a presumption in favour of their physical preservation in situ, i.e. a presumption against proposals which would involve significant alteration or cause damage, or would have a significant adverse impact causing harm within the setting of the remains. GAPS raise no issues in this regard and comments are awaited from CADW at the time of writing.

## Conclusion

The principle of the development is acceptable on this industrial estate location and is supported in terms of the investment and jobs and that that are proposed. There are a number of consultation responses which are unresolved at the time of writing. These include the council's Environmental Services who are generally content but they have made suggestions to ameliorate noise impacts, further they have also been requested to consider NRW's comments as regards the permitting process which would provide mitigation in relation ameliorating impact on residential amenity but it will only be applicable should the development process more than 200 tonnes per day. Work is being undertaken in in addressing the comments of the council's Ecological and Environmental Adviser and details of offsite ecological mitigation are awaited.

In terms of the Well-being of Future Generations (Wales) Act 2015 it is considered that the proposed development contribute towards a more prosperous and resilient Wales in terms of the economic improvements being proposed as part of the development.

## Recommendation

That subject to the receipt of outstanding consultation responses listed in the report that planning permission is GRANTED subject to the following planning conditions and any others recommended by outstanding consultees.

(01) 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:

Location Plan\_Effluent Treatment Plant 20335\_P2\_P 100  
Sections\_Effluent Treatment Plant\_Existing 20335\_P2\_P 301  
Site Plan\_Effluent Treatment Plant\_Existing 20335\_P2\_P 101 C  
DAF Shed\_Proposed 20335\_P2\_P 203  
Brining Area 20335\_P2\_P 206  
Dry Cooler – 50 Hz (Alfa)  
Site Plan\_Effluent Treatment Plant\_Proposed 20335\_P2\_P 102  
Context Elevations\_Effluent Treatment Plant\_Proposed 20335\_P2\_P 211  
Phase 2 Drainage Strtaegy P2018-011 48 A  
Soft Landscaping Design 558-STO-00-00-DR-L-0001 PO.3  
Food Production Area / Warehouse Elevations 20335\_P2\_P 205 A  
Food Production Area / Warehouse Floor Plans 20335\_P2\_P 204 A  
Elevations\_Effluent Treatment Plant\_Proposed 20335\_P2\_P 210 C  
Sections\_Effluent Treatment Plant\_Proposed 20335\_P2\_P 302 C  
Soft Landscaping Details 558-STO-00\_00-DRL-L-0002 P0.0  
Ground & Roof Plan\_Effluent Treatment Plant 20335\_P2\_P 202 C  
Mona Dairy Mona Industrial Park Noise Assessment Report RS Acoustic Engineering (17th November 2020)  
Planning Statement Cadnant Planning (11th November 2020)  
Bird Hazard Management Plan (Bird Hazard 2032)  
VEM Noise Behaviour  
Mona dairy – Landscape specification Stiwdio Owens (27.10.20)  
Lackebey Roto-Sieve Drum Screen  
Preliminary Ecological Assessment: Mona Dairy Phase II Eco-Scope (05 November 2020)

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

(02) Prior to the installation of any external lighting, full details of a lighting scheme for the development including Lux levels (lumen per square metre) must be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the lighting



scheme approved under the provisions of this condition. The lighting shall be maintained in accordance with the approved scheme for the lifetime of the development and there shall be no additional lighting installed.

Reason: To prevent of light pollution.

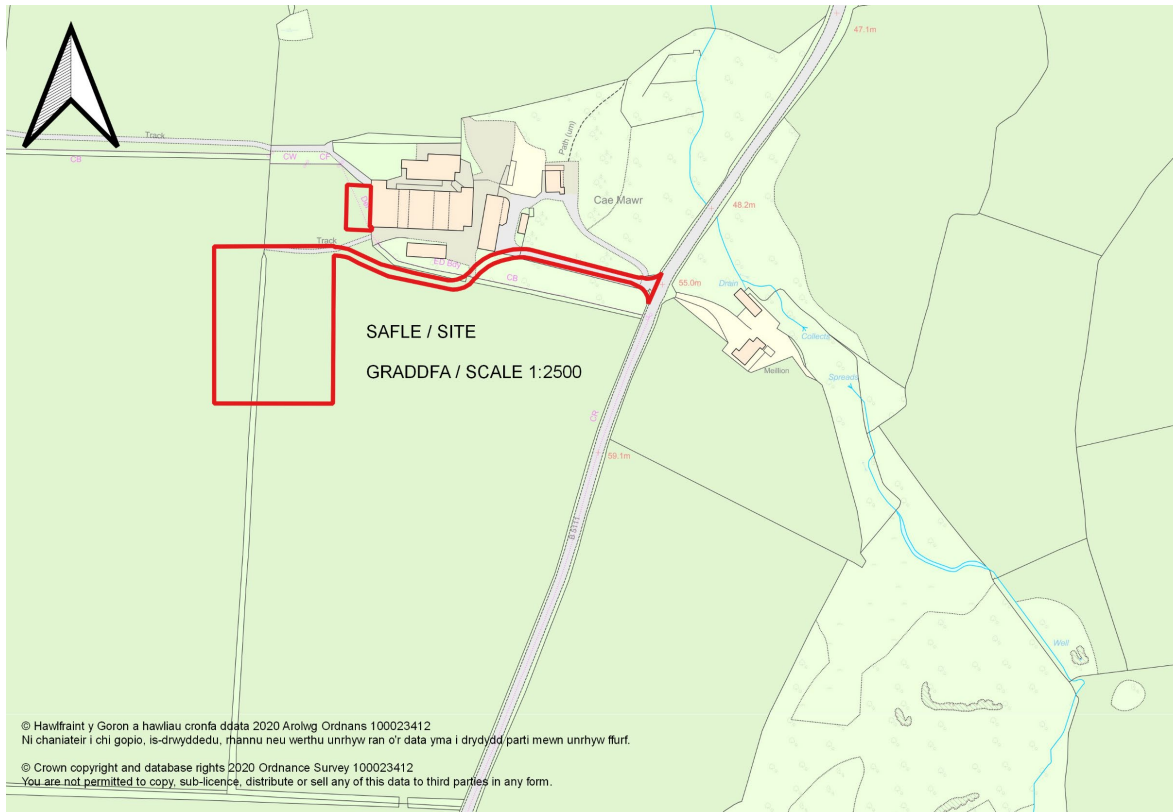
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

**Application Reference: FPL/2019/251/EIA**

**Applicant:** Mr Robat Evans

**Description:** Full application for the erection of a free range poultry unit (egg production) together with a manure store, feeding bins and associated works at

**Site Address:** Cae Mawr, Llanerchymedd



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

As the application is accompanied by an Environmental Impact Assessment it shall be referred to the Planning and Orders Committee for determination in accordance with paragraph 3.5.3.10 of the Constitution.

The application has also been called into the Planning and Orders Committee by Local Member Aled Morris Jones

**Proposal and Site**

The application is submitted for the erection of a free range poultry unit (egg production) together with a manure store, feeding bins and associated works. The development is included within an existing farm

enterprise. The holding extends to some 126 hectares and supports a beef and sheep enterprise. As part of the proposal, beef and sheep will be reduced to facilitate the poultry enterprise.

The application is accessed to the east from an existing track from the B511 main highway. Improvements to the existing access is proposed as part of the application.

The proposed free range poultry unit will accommodate 32,000 Chickens for egg production. The unit is being proposed to the south west of the existing farm buildings. A total of eight feeding bins are proposed each side of the proposed shed. The proposed building is approximately 68 metres (length) by 46 metres (width) and a height of 6.3 metres. The total footprint is 3,204 square metres allowing for a maximum stocking density of 9 birds per square metre and the grazing range of 16 hectares allowing 2000 birds per hectare. The main material being proposed is juniper green box profile steel sheeting.

The proposed manure store is being proposed immediately to the west of the existing farm buildings. The shed is measured at approximately 24.4 metres (length) with a width of approximately 12.2 metres. The shed will be approximately 8.2 metres in height. Similar to the free range poultry unit, the predominant material will be juniper green box profile steel sheeting.

The application site is located within the open countryside as defined by Joint Local Development Plan (JLDP) and is predominately surrounded by agricultural land. Residential properties are also located near the application site.

The application is accompanied by several documents including an Environmental Statement, Odour Management Plan, Dust and Bioaerosol Management, Detailed Management Plan, Pest Management Plan, Noise Impact Assessment, Water Statement, Method Statement Pollution Prevention, Energy Report, Habitat Survey, Woodland and Landscape Report, Archaeological Management Plan, Welsh Language Statement, and Transport Statement.

## **Key Issues**

Whether or not the proposal is justified in this location, complies with local and national policies and whether the proposal will have a detrimental impact upon any nearby designated sites, neighbouring residential properties, surrounding landscape and highway.

## **Policies**

### **Joint Local Development Plan**

Policy ISA 1: Infrastructure Provision

Strategic Policy PS 4: Sustainable Transport, Development and Accessibility

Policy TRA 1: Transport Network Developments

Policy TRA 4: Managing Transport Impacts

Strategic Policy PS 5: Sustainable Development

Policy PCYFF 2: Development Criteria

Policy PCYFF 4: Design and Landscaping

Policy PCYFF 3: Design and Place Shaping

Policy PCYFF 6: Water Conservation

Policy PCYFF 5: Carbon Management

Strategic Policy PS 13: Providing Opportunity for a Flourishing Economy

Policy CYF 6: Reuse and Conversion of Rural Buildings, Use of Residential Properties or New Build Units for Business/Industrial Use

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

Policy AMG 3: Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character

Policy AMG 5: Local Biodiversity Conservation

Planning Policy Wales (Edition 11, February 2021)

Technical Advice Note 18: Transport (2007)  
 Technical Advice Note 23: Economic Development (2014)  
 Technical Advice Note 6: Planning for Sustainable Rural Communities (2010)

### Response to Consultation and Publicity

| Consultee                                                                    | Response                                                                                                                                                             |
|------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor | Conditional Approval                                                                                                                                                 |
| Cynghorydd John Griffith                                                     | No Response                                                                                                                                                          |
| Cynghorydd Richard Griffiths                                                 | No Response                                                                                                                                                          |
| Cynghorydd Aled Morris Jones                                                 | Referred the application to the Planning and Orders Committee on the grounds of design                                                                               |
| Cynghorydd Richard Owain Jones                                               | No Response                                                                                                                                                          |
| Cynghorydd Kenneth P. Hughes                                                 | No Response                                                                                                                                                          |
| Cynghorydd Llinos Medi Huws                                                  | Concerns raised regarding an increase in traffic from the proposed development                                                                                       |
| Cyngor Cymuned Llanerchymedd Community Council                               | Concerns regarding the impact upon the environment, increase in traffic and highways safety.                                                                         |
| Prifffyrdd a Trafnidiaeth / Highways and Transportation                      | Conditional Approval                                                                                                                                                 |
| Ymgynghorydd Tirwedd / Landscape Advisor                                     | Conditional Approval                                                                                                                                                 |
| Iechyd yr Amgylchedd / Environmental Health                                  | Conditional Approval                                                                                                                                                 |
| Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit                  | General comments made with respect to policies contained within the Joint Local Development Plan (JLDP).                                                             |
| GCAG / GAPS                                                                  | Conditional Approval                                                                                                                                                 |
| Ymgynghorydd Treftadaeth / Heritage Advisor                                  | No Objection                                                                                                                                                         |
| Dwr Cymru/Welsh Water                                                        | Conditional Approval                                                                                                                                                 |
| Ymgynghoriadau Cynllunio YGC                                                 | Due to the size and nature of the development it will be necessary to provide an application to the SAB for approval prior to the commencement of the building work. |
| Cyngor Cymuned Rhosybol Community Council                                    | No Response                                                                                                                                                          |
| Cyfoeth Naturiol Cymru / Natural Resources Wales                             | Conditional Approval                                                                                                                                                 |

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties, together with a site notice. A notice was also placed within the local newspaper. The latest date for the receipt of any representation was the 20/07/2020. At the time of writing this report, 31 representations had been received at the department including a petition. The main points are summarised below:

- Concerns that the proposed development would have a detrimental impact upon the environment. These include the impact upon the nearby Llyn Alaw SSSI and Ancient Woodland.
- Concerns the proposed development would have an impact upon the drinking water provided by Llyn Alaw.
- Concerns regarding drainage and foul water.
- Concerns that the proposed development would have a detrimental impact upon the human health and an unacceptable impact upon the area in general.
- Concerns regarding an increase in traffic and highway safety.
- Proposed development would have a detrimental impact upon the landscape.
- Concerns regarding animal welfare and that together with health concerns created by such a development.
- Concerns the proposed development would have an impact upon the tourism industry.
- Concerns that properties within the area will be de valued.

## **Relevant Planning History**

25C210B/SCR - Screening Opinion - Barn sgrinio i godi sied ar gyfer dofednod buarth ynghyd â gosod biniau gwydo a gwaith cysylltiedig yn / Screening opinion for the erection of a free range poultry shed together with the erection of feed bins and associated works at - Cae Mawr, Llanerchymedd

25C210A - Full Planning - Cais llawn i godi uned dofednod (ieir) rhydd (cynhyrchu wyau) yn cynnwys codi sied, gosod biniau bwydo a gwaith cysylltiedig yn / Full application for the erection of a free range poultry unit (egg production) to include the erection of a shed, feeding b - Cae Mawr, Llanerchymedd

## **Main Planning Considerations**

### **Principle of development and Planning Policy:**

The salient consideration of the approach of Welsh Government towards the rural economy and agricultural development is set out within Planning Policy Wales (PPW). The emphasis is that the rural economy must develop a wide base if it is to be adaptable and resilient to the challenges it faces now and in the future. PPW also underlines that Local Planning Authorities should support the development of a broad range of employment opportunity within rural areas to increase economic prosperity and to address the effect of rural decline. Planning Authorities should adopt a constructive approach towards agricultural development proposals.

However, PPW also notes that care should be exercised when considering intensive livestock development when these are proposed in close proximity to sensitive land uses.

The technical guidance in Technical Advice Note (TAN) 6 'Sustainable Rural Communities', to which PPW cross refers in respect of agricultural development, also contains the imperative that the planning system play a part in supporting the future of sustainable agriculture. However a balance must occur which ensures that significant consideration is given to environmental protected as well as the well – being of people and the impact on natural and cultural resources.

There is no specific policy within the Anglesey and Gwynedd Joint Local Development Plan (JLDP) which relates to the proposed development. Nevertheless general policies will be considered as part of assessing the application.

Whilst it can be considered that Policy CYF6 of the JLDP is relevant to the determination of the application, this policy specifically relates to business / industrial units. The breeding of hens for the production is considered as agricultural in accordance with the interpretation described under section 336 of the Town and Country Planning Act 1990 (as amended).

It states; "agriculture" includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land,

market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and “agricultural” shall be construed accordingly.

Although an aspect of the process will entail the packing of the eggs so that they are removed from the application site, it is considered that this aspect would be ancillary to the existing agricultural enterprise.

Although there is no specific policy within the JLDP which relates to the proposed development, one of the key issues the JLDP notes in the requirement to Respond to the needs of the farming industry and other rural industries, including diversification in farming and the use of redundant farm buildings.

The JLDP also notes that within the open countryside developments will be controlled and restricted to those which require a countryside location, meet a local rural need, support rural diversification or sustainability of the countryside. It is indicated that reliance will be placed on the policies of the plan in general and on national policy and guidance to ensure that development will not threaten or harm the attributes of the countryside.

Consideration is also given to the proposals compliance with Policy PS1 (Welsh Language and Culture). Policy PS1 is a criteria based policy which sets thresholds for when a Welsh Language Statement / Assessment is required. Since it is considered that the proposed use is agricultural a Welsh Language Statement is not required as part of the application.

Due to the size of the proposed development (which exceeds 1,000m<sup>2</sup>) consideration is given to the proposals compliance with Policy PCYFF 5 (Carbon Management) and Policy PCYFF 6 (Water Conservation). Policy PCYFF 5 requires the submission of as part of the application an Energy Assessment has been submitted in accordance with Policy PCYFF 5 whilst a Water Conservation Statement has been submitted in accordance with PCYFF 6.

The proposed development falls within the scope of developments listed in Schedule 2 of the 2017 Environmental Impact Regulations being an intensive agricultural livestock installation exceeding 500 sq m in floorspace and having a scale and nature likely to have significant environmental effects in accordance with the criteria in Schedule 3. An assessment of the environmental effects of the proposed development has been submitted as part of the planning application and is considered in the context of relevant planning policies and guidance.

### **Key Operational Considerations:**

There are several operational aspects of the proposed development which requires consideration. These include the environment of the housing, the grazing range, the management of manures and waste water and vehicle movements.

The proposed housing is subject to recognised standards of construction and bird welfare. In particular, the flooring facilitates effective cleaning to maintain bio-secure conditions and the internal environment is regulated through the use of ventilator extractor fans.

Management of the grazing range will allow birds access on a rotational system to conserve its quality and prevent the introduction of problems for animal welfare.

Manure generated in the building is proposed to be removed every four days and spread to land within the farm holding, unless conditions preclude this, when it will be stored within the proposed manure facility. Not all the land within the holding is available for spreading due to the need to safeguard water resources from polluting runoff. Should the area of spreadable area be insufficient at any time contingency arrangements are proposed for the disposal of manure to a local Anaerobic Digestion Plant.

About 200 additional vehicle movements on the highway network are anticipated to directly to arise from the operation of the poultry unit.

The potential environmental sensitivities in relation to the proposed development have been described in terms of ecological, water quality and residential amenity considerations and the proximity of receptors at varying distance from the proposed building. The latter are summarised as being six Sites of Special Scientific Interest (SSSIs) with 5 kms, five remnant Ancient Woodland sites within 2 kms, three dwellings within 400m, and surface and ground water generally.

### **Potential Pollutants from the Proposed Development:**

The potential sources of pollution associated with such a development are from the buildings which house the birds, structures used for the storage of organic wastes, land used for grazing purposes and land uses for the spreading of manures.

Pollutants may be airborne, or water born, and receptors which are particularly sensitive to these pathways include natural habitats and associated species, water bodies and the amenities and health of humans.

Gaseous emissions from poultry housing and organic wastes can be a source of odour nuisance, but the greater potential hazard is their interaction with the wider environment, especially natural habitats and freshwater resources. Ammonia is generated within poultry housing and in the handling, storage and land spreading of manures. When re-deposited, it has an acidification effect which can adversely affect water quality and biodiversity. Agricultural activity is a significant source of ammonia emissions.

Organic wastes and wastewater from poultry units also present a hazard when coming into contact with water resources either directly or indirectly via surface runoff or passage into the groundwater. Nitrogen (nitrates) and phosphorous (phosphates) are of particular concern.

The ES submitted with the planning application contains the main sources of information with regards to potential emissions arising from the proposed development. Natural Resources for Wales (NRW) have assessed the air quality impact a unit may have on European sites and Sites of Special Scientific Interest (SSSIs) within a screening distance of 5km of the unit.

### **Ammonia:**

An ammonia report is also submitted which provides detailed data on the modelled emissions predicted to arise from the proposed development. The modelling report is consistent in its scope and accuracy with the accepted methodology. It finds that, with mitigation, the maximum annual ammonia concentration/nitrogen deposition rate at nearby sensitive ecological receptors would be below the relevant 1% critical level/critical load screening thresholds as dictated by Natural Resources for Wales.

The submitted evidence on ammonia emissions concludes that, with the designed mitigation, they would have no significant adverse effects on air quality or nearby sensitive ecological receptors. These mitigation measures include ammonia scrubbing equipment for the lifetime of the development and that all air exhausted from the ventilation system passes through the scrubbing equipment. That is dependent on the equipment being maintained in a fully working condition or replaced expeditiously in the event of an irreparable failure.

In addition, to avoid damage from ammonia to nearby receptors including the SSSI, the relevant 1% critical level/critical load screening thresholds must be reached and therefore existing stock numbers must be reduced to accommodate the new development. The applicant has suggested the removal of existing stock to reduce the overall aerial emissions from the farm, which would bring the development within the required threshold. These mitigation measures will be conditioned as part of any permission.

**Nitrogen:**

The Environmental Statement covers the scale of issues relating to the dispersal of organic waste and wash water to land. This is currently arising from the livestock present at Cae Mawr, specifically a flock of 600 breeding ewes and a herd of 50 suckler cows. These animals are housed for 2 months and 6 months of the year respectively.

The 32,000 birds proposed to be housed at Cae Mawr will add to the amount of animal feed imported to the unit and thus the existing materials to be applied to land or otherwise disposed of. A Manure Management Plan has been submitted with the application which provides details regarding the level of nitrogen in organic manure.

The volume of organic waste to be generated by the poultry unit is to be dispersed to land within the farm holding. The Manure Management Plan uses the prescribed methodology for assessing the availability of suitable land and identifies a sufficiency of the appropriate land. The security of the mitigation approach is contingent upon the availability of an off farm disposal option rather than putting manure to beneficial use on the farm.

The mitigation of risks associated with the emission of ammonia from the poultry housing is achieved by means of the installation of appropriate treatment equipment, and those associated with the spreading of organic waste to land by the application of mitigation measures in the Manure Management Plan.

The Manure kept within the proposed manure store will be removed every four days and spread to land within the farm holding, unless conditions preclude this, when it will be stored within the proposed manure facility which has the capacity for six months storage. Not all the land within the holding is available for spreading due to the need to safeguard water resources from polluting runoff. Should the area of spreadable area be insufficient at any time contingency arrangements are proposed for the disposal of manure to a local Anaerobic Digestion (AD) Plant. A pre commencement condition will be attached to any approval which will require evidence of a firm contractual arrangement between an approved AD Plant and the applicant. Other mitigation measures include monitoring of soil nutrient levels and storing wash water in containers separate from other manures being disposed of by specialist contractors licensed to deal with such wastes.

Given due consideration to the submitted calculations it is considered there is a spare spreading capability of about 40 hectares of available spreading land. The 40ha included the 16.25 hectare of land in the grazing range of the poultry unit.

Natural Resources for Wales have assessed the application and are of the opinion there is adequate buffering shown on the majority of the manure spreading maps. It is recommended that a condition will be attached to the permission ensuring that no manure will be spread during winter months (1<sup>st</sup> of October until the 1<sup>st</sup> of April). Furthermore, NRW have advised that any spreading should be carried out in accordance with the Welsh Government's Code of Good Agricultural Practices (CoGAP) and the Water Resources (Control of Agricultural Pollution) Regulations 2021 (CoAP).

It is also noted within the manure management plan that a contingency plan for the storage of manure when spreading to land is not possible, and states that contaminated wash water will be stored in containers separate from other manures and will be disposed of off farm by a specialist contractor licensed to deal with such wastes. The Manure Management Plan is compliant with regard to its scope with relevant guidance and indicates an ability to appropriately disperse organic waste to land.

**Phosphate:**

Manures and artificial fertilisers are a source of phosphates, but not exclusively so, and of growing concern in terms of the pollution of water courses.



A soil Management Report has been submitted with the application together with supporting laboratory results. The correspondence indicate there is a need for nutrients on the farm, the majority of the field for phosphate are level 0 or 1 which is below the required level 2. This therefore indicates there is an agriculture benefit for the utilisation of poultry manure in a controlled manner on the farm.

As previously noted, manure will not be stored in heaps nor on a hard standing are but within a purpose built covered manure stored that form part of the application.

Natural Resources for Wales and Welsh Water have assessed the information and confirmed they are satisfied with is submitted documentation.

### **Llyn Alaw Drinking Water:**

Apart from being a SSSI, Llyn Alaw is also suffers with blue green algae issues and is the Welsh Water drinking water source for northern Anglesey. The application site falls within the Llyn Alaw drinking water catchment which has been designated a safeguard zone for nutrients.

The Llyn Alaw catchment has been designated as a safeguard zone as excess nutrients entering the raw water are leading to the production of taste and odour compounds. For example, ammonia and nitrate deposition within the catchment area has the potential to be transported into the reservoir body through land run off and direct deposition into a watercourse.

As the Llyn Alaw catchment has already been identified as a source at risk of elevated nutrient inputs Welsh Water raised concerns over the addition of nutrients from this development which would be through deposition as well as run off from spreading land.

However, given due consideration to the mitigation measures and the control of mature arising from the proposed development, Welsh Water share the same recommendation as Natural Resources for Wales which will safeguard both the SSSI and drinking water at Llyn Alaw.

### **Drainage:**

As part of the application a Drainage Strategy report has been submitted confirming that clean and dirty water will be drained separately. The dirty water will be drained to an underground tank whilst the surface water will be piped to an underground tank which will ultimately discharge to a watercourse.

Natural Resources for Wales have assessed the application and are satisfied that the proposed development can be acceptably drained without having an impact upon nearby designated sensitive areas including the nearby SSSI, Llyn Alaw.

The proposed development will require sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers.

Although the drainage strategy provided with the application indicates that the applicant has considered the use of a soakaway as sustainable drainage within the site, and includes discussion regarding proposed run-off destination and rate. Due to the size and nature of the development it will be necessary to provide an application to the SAB for approval prior to the commencement of the building work.

With respect to foul drainage, an on-site toilet for workers is being proposed. An infiltration test has been carried out which confirms that a septic tank is not viable. A Biodisc Treatment plant is being proposed which purifies the waste and discharging clean water into a partial soakaway before reaching a nearby watercourse.

## **Ecology:**

The application is located partly within the Coed Cae Mawr Wildlife Site. Part of the site is also a designated Ancient Woodland. The area of the application site which is located within the site is around the access together with the track leading toward the farm and proposed buildings.

The Wildlife Site has a broad leaved woodland with smaller areas of dry and marshy grassland. The woodland is composed of mature ash, beech, wych elm, sycamore and horse chestnut. Hawthorn, blackthorn, rhododendron and alder are present in the shrub layer. Bird cherry, a rarity on Anglesey, also occurs here. The dry grassland has locally abundant sneezewort, devil's bit scabious and yellow rattle.

As part of the application, an extended phase one habitat survey was submitted (Extended Phase One Habitat Survey. Land at Cae Mawr, Anglesey. August 2018. Arbor Vitae Environment Ltd). The survey identified that European protected species were not using the application site.

An assessment was carried out for bats, great crested newts, and otters. The survey concluded that no habitat of potential value for great crested newts or otters would be lost. A condition will be attached to any permission to ensure that appropriate exterior lighting is installed to safeguard bats.

A Woodland and Landscape Report has also been submitted with the application. The report includes an assessment of the potential impact of ammonia would have on the woodland. The report suggested that landscape enhancement is provided as part of the proposed development. This would include new hedgerows, hedgerows restoration planting and planting for new woodland areas. The report also suggests that a woodland management plan should be agreed with the Local Authority in order to protect and enhance the woodland and mitigate the effects of Ammonia.

The Authority's Ecologist and Natural Resources for Wales are satisfied with proposed development subject to conditions to ensure the lighting limitations, new planting and Woodland Management Plan as referred to above will be agreed.

## **Character of the area and Landscape:**

At its core, one of the most fundamental consideration is whether the proposed development is acceptable in respect of its design and layout is whether it can comply with the provisions of the JLDP and whether there are any other material considerations which must be taken into account. Policy PCYFF2, PCYFF3 and PCYFF4 are the primary consideration in assisting the proposal from this aspect.

The development lies within the open countryside. The site is not within a protected landscape (Area of Outstanding Natural Beauty (AONB) or Special Landscape Area (SLA)). It is at the edge of Landscape Character Area (LCA) 5 – North West Anglesey where the drumlin landscape of the northwest merges into the more gentle undulating topography of LCA 17 West Central Anglesey . The LCA description does not note issues of particular relevance to this proposal and relevant landscape issues are addressed through JLDP policies.

The LANDMAP Overall Evaluation is Moderate as a 'Generally quiet pleasant rural landscape but no distinct landmarks'.

The site is within large agricultural enclosures (located between two) approached via the farm access through an area of woodland protected by a Tree Preservation Order. It is adjacent to Cae Mawr buildings which are more enclosed from the south (by trees) but more open to the north.

The proposed building is proposed to be of a simple form in juniper green with timber cladding and attached silos. Hardstanding and glazing is located to the north closest to the access road and the existing farm buildings.

Public views would be available from a 250 metre stretch of the B5111 to the southeast/east on the approach to Rhosybol. From this approach, it would be seen to the left of the partially screened farm complex with the effectiveness of roadside screening varying seasonally. From the north it would be slightly removed from the existing farm complex) and set at a higher level on the sloping ridge. It would be a skyline feature on these brief views. On all viewpoints there are some views of the existing buildings and although the scale of the proposed shed is significant in relation to the existing buildings, it is not without context and there would appear to be potential through landscaping to better integrate the building into the site.

A 95 metres stretch of hedge is to be removed to accommodate the building. It is not an ancient boundary (not present on the tithe map) and has gaps in parts. Since visibility splay would need to be 215metres existing vegetation will be removed and require replacing.

Planting is proposed as part of the proposal not only to mitigate against the effects of ammonia but in an effort to integrate the development into the site or lively views into the site. Although the principle of the landscaping plan is considered acceptable and will assist in integrating the proposed development within the landscape, further details is required and therefore a landscaping plan shall be conditioned. Conditions will also be included to control external lighting to mitigate the proposed buildings at night time.

Within its context, achieving the correct design and appearance is important and it is noted that a mixture of development are located within the vicinity. Although it is acknowledged that the proposed structure will be more prominent during the first years of completion, as the structure become weathered the structures will become less intrusive. The proposed structures are considered acceptable in terms of their impact on the countryside which has a typical rural design. It is considered that proposed materials are appropriate and will not harm the character of the area and reflect the relatively rural nature of development within the immediate locality.

#### **Effect upon the amenities of neighbouring properties:**

The impact of the proposal, in particular upon the amenity of nearby land users should be considered in accordance with the criteria as set out in Policy PCYFF2 of the JLDP. Specific consideration should be given to subsection 6 which stipulates that planning permission should be refused if the proposed development would have an adverse impact on the health, safety or amenity of occupier of local residence or other land and property users.

With exception to the farmhouse, the nearest residential property is Meillion which is located approximately 285 metres to the east of the proposed dwellinghouse. The nearest dwelling to the south is Graig at approximately 460 metres whilst Tyn Frwd and Isfron Ceidio are located approximately 710 metres to the north and west respectively.

Notwithstanding the ES and Manure Management Plan, a Noise Management Plan, Odour Management Plan, Pest Management Plan has also been submitted as part of the application and assessed by Environmental Health. The section recommends that these adopted as best practice to mitigate against the impacts from the proposed development. Conditions will be attached to the permission to ensure that mitigation measures are implemented including appropriate external lighting.

With respect to ammonia, it is considered that the details within the ammonia report provides sufficient evidence as to the rates of ammonia emissions from the proposed development with regards to their potential impact on human health.

It is considered there is ample distance from the proposed units to nearby residential properties. In addition, there is a change in the topography on the land and a number of existing hedgerows and trees which will act as a buffer from sound. Given due consideration to the location, surrounding environment and mitigation measures, it is not considered that the proposed development will have a detrimental impact upon the nearby dwellinghouses.

### **Local Highways Authority:**

The application site will be accessed from the main B5111 highway. A Transport Assessment together with an Associated Constriction Phase Traffic Management Plan has also been submitted as part of the application.

The proposed development will include a new track which will lead to the proposed Poultry Units. Due to the increased vehicular movement inducing the movement of HGV's, the proposed development will also entail variations to the existing access onto the public highway.

The Local Highways Authority have assessed the application and commissioned a traffic survey in order to establish the required and acceptable vision splay as part of the proposed development. The results of the survey show that 85% speeds towards Llanerchymedd was 50.4mph and that the speeds in the opposite direction was 52.8mph. The Local Highways Authority are therefore satisfied that the minimum vision splay required is 2.4m x 160m. The application has been amended to meet these requirements and therefore the Local Highways Authority are satisfied with the proposed access subject to conditions.

The Local Highways Authority also raised concerns with respect to the proposed increase in traffic would generate a significant increase in traffic along the public highway to the detriment of highway safety and convenience. However the traffic survey recorded 18,770 vehicle movements travelling in both directions over a 7 day period. With an increase proposed of 32 vehicle movements per month, it is considered that the proposed development will not generate a significant increase in vehicular movement and is therefore not a mitigating factor when assessing this application.

### **Conclusion**

National and Local planning policies note the need to carefully balance by encouraging economy developments within the open countryside and protecting the environment and other sensitive receptors.

The Environmental Statement, associated appendices together with other submitted reports provide adequate evidence with which to assess the impact of the proposed development on sensitive receptors. Mitigation measures are essential in order that the proposed development does not have a harmful impact upon these receptors and the operational margins for error are narrow.

On balance it is considered that the proposed development respect the main thrust of planning policy by providing an economic opportunity within the open countryside by also protecting the environment. The proposed development also proposes ecology and landscape enhancements.

Careful consideration has been given to the impact upon neighbouring properties, however it is not considered that the proposed development will have an impact upon these residential properties. Alterations to the access are essential in order that the development does not have a detrimental impact upon highway safety.

Careful consideration has been given to the impact upon neighbouring properties, however it is not considered that the proposed development will have an impact upon these residential properties. Alterations to the access are essential in order that the development does not have a detrimental impact upon highway safety.

### **Recommendation**

Approval subject to conditions

**(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 – GEL-MZ298-03
- Block Plan – GEL-MZ298-04
- Proposed Elevations and Floor Plan – Manure Store – GEL-MZ298-10
- Foul Drainage 28/08/2019
- Highway Plan – GEL-MZ298-05 Scale 1:200
- Highway Plan – GEL-MZ298-05 Scale 1:500
- Landscape Plan – GEL-MZ298-06
- Lighting Plan – GEL-MZ298-13
- Proposed Elevations and Floor Plan – GEL-MZ298-02
- Proposed Elevations and Floor Plan GEL-MZ298-09
- Construction Traffic Management Plan – sk02\_P1
- Transport Statement, Roger Parry & Partners
- Cae Mawr Range Plan – July 18
- Drainage Plan - 12008-SK01
- Archaeological Management Plan, Roger Parry & Partners
- Detailed Management Plan, Roger Parry & Partners
- Drainage Strategy – July 2019
- Dust and Bioaerosol Management Plan, Roger Parry & Partners
- Noise Impact Assessment – Matrix Acoustic Design Consultants – M1951/R01
- Noise Management Plan, Roger Parry & Partners
- Odour Management Plan, Roger Parry & Partners
- Pest Management Plan, Roger Parry & Partners
- Environmental Statement, Roger Parry & Partners
- Range Area Plan ref: Cae Mawr Range Plan Jul-18 ND
- Lighting Assessment - Roger Parry & Partners – December 2019
- Lighting Details – 22/10/2019
- Soil Management Plan - AGRI SCI
- Manure Management Plan, Roger Parry & Partners and plan Rev C 07 06 2021
- Manure Management Plans - MMP
- Method Statement Pollution Prevention, Roger Parry & Partners
- Extended Phase One Habitat Survey - Revision A September 2019. Arbor Vitae Environment Ltd
- Woodland and Landscape Report – Revision A – September 2019

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

**(03) The ammonia scrubbing equipment shall be fully operational prior to the use hereby approved being commenced. The equipment shall be maintained, repaired or replaced in accordance with the manufacturer's specifications for the lifetime of the development. In the event that a breakdown of equipment lasts for more than one week, destocking of the poultry unit shall be implemented within two weeks from the start of the breakdown and not restocked until the equipment is fully operational.**

Reason: To safeguard the Llyn Alaw SSSI and drinking water.

**(04) The use hereby approved shall not commence until all of the proposed mitigation measures as outlined within either the Manure Management Plan prepared by Roger Parry & Partners ('the Manure Management Plan') Rev C 07 06 2021 and drawing numbers MMP and the Ammonia Modelling Report prepared by Steve Smith AS Modelling & Data Ltd (26/02/2020) shall be in place and functional. The mitigation measures shall include (but not be limited to) the ammonia**

**scrubber equipment, the manure store and the dirty water tank. All mitigation measures shall be in place and functioning for as long as the use hereby approved is extant.**

Reason: To safeguard the Llyn Alaw SSSI and drinking water.

**(05) Notwithstanding the contingency measures relating to the disposal of organic wastes as outlined within the Manure Management Plan, the use hereby approved shall not commence until evidence has been submitted to and approved in writing by the Local Planning Authority of a binding contract between the developer and an Anaerobic Digestion Plan. The development shall thereafter be carried out in accordance with the approved details and measures set out within the Manure Management Plan.**

Reason: To safeguard the Llyn Alaw SSSI and drinking water.

**(06) No spreading of manure is to be carried out anywhere on the farm enterprise as outlined in drawing numbers MMP between 1st October and the following 1st April.**

Reason: To safeguard the Llyn Alaw SSSI and drinking water.

**(07) From the commencement of the use hereby authorised the numbers of other animals kept on the farm enterprise shall not be greater than:**

- **150 calves , of which 50 shall weigh up to 50kgs each; another 50 shall weigh up to 250kgs each, and the remaining 50 shall weigh no more than 450kgs each; and**
- **50 sheep.**

**Should the number of animals kept on the farm enterprise (irrespective of whether all of the land comprised in the farm enterprise is within the ownership or control of the developer) exceed the number of 150 individuals as specified in this condition then the use hereby permitted shall cease and not recommence until the number of animals kept comes back to or below 150 individuals.**

Reason: To safeguard the Llyn Alaw SSSI and drinking water.

**(08) No development or site clearance shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping based on Landscape Plan GEL-MZ298-06 30/01/20. The scheme shall include details of plant numbers and spacing and replacement of any hedge affected by the visibility splay. All planting in the approved details of landscaping shall be carried out in the first planting seasons following the use of the site or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The planting shall be retained for the life of the development hereby approved.**

Reason: In the interest of visual amenity

**(09) No development or site clearance shall take place, until there has been submitted to and approved in writing by the local planning authority details of a scheme for the protection of trees within the Tree Preservation Order.**

**The approved scheme shall be carried out throughout the course of the development and shall include:**

- **a plan, at an appropriate scale showing the position of trees that could be affected by the development, indicating which trees are to be pruning or felled.**
- **all appropriate tree protection measures required before and during the course of development (in accordance with BS5837:2012).**

Reason: To ensure the protection trees

**(10) No development or site clearance shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping based on Landscape Plan GEL-MZ298-06 30/01/20. The scheme shall include details of plant numbers and spacing and replacement of any hedge affected by the visibility splay. All planting in the approved details of landscaping shall be carried out in the first planting seasons following the use of the site or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The planting shall be retained for the life of the development hereby approved.**

Reason: In the interest of visual amenity

**(11) No development shall commence until a Woodland Management Plan is submitted and approved in writing by the Local Planning Authority. The Woodland Management Plan shall outline the way Coed Cae Mawr woodland is to be managed covering matters such as *aims*, list of *operations* to be performed, *timetable*, and provision for *review*. Operations may include thinning of planted trees, removal of guards and ties, removal of dead/ diseased limbs, actions to encourage particular wildlife species, and provision of control of invasive species and other actions, as appropriate. The Plan should also include the integration of the mitigation planting area as a protecting buffer to the existing wooded area, along with detail of various actions listed in 2.4 of the Woodland and Landscape Report. The plan shall thereafter be implemented in full throughout the lifetime of the development.**

Reason: To ensure that the Coed Cae Mawr woodland is adequately managed

**(12) Prior to the commencement of any works a Construction Environmental Management Plan (including a Construction Travel Plan) ("the Plan") shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include the following matters and the times and duration for when such steps shall be operative:**

- Biodiversity Scheme
- Protective measures to trees and shrubs
- Signage for the construction traffic, pedestrians and other users of the site,
- Controls on the arrival and departure times for the construction vehicles;
- Piling methods (if employed)
- Earthworks;
- Hoardings to the site,
- Hours of working,
- Details of how noise, lighting, dust and other airborne pollutants, vibration, smoke, and odour from construction work will be controlled and mitigated
- Waste management and disposal and material re use,
- Prevention of mud / debris being deposited on public highway;
- Protection of the amenities of nearby residential occupiers
- Materials storage; and hazardous material storage and removal.
- Emergency Containment Procedures
- The routing to and from the site of construction vehicles, plant and deliveries
- The parking of vehicles for site operatives and visitors
- Loading and unloading of plant and materials
- Storage of plant and materials
- Wheel washing facilities where appropriate
- A system for the management of complaints from local residents

**The developer shall ensure that the requirements of the approved plan shall be adhered to throughout the construction of the development.**

Reason: To ensure the construction environment is not harmful to the amenities or wildlife of the locality.

**(13) 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

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

Reason: In the interest of highway safety

**(15) The access shall be constructed with 2.4 metre by 160 metre splays on either side. Within the vision splay lines nothing exceeding 1 metre in height above the level of the adjoining carriageway shall be permitted at any time.**

Reason: In the interest of highway safety

**(16) The access shall be completed with a bitumen surface for the first 5 meters from the nearside edge on the County Highway with the surface water drainage system completed and in perfect working order before the use hereby permitted is commenced.**

Reason: In the interest of highway safety

**(17) 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 shall be carried out and all archaeological work completed in strict accordance with the approved details.  
b) A detailed report on the archaeological work, as required by condition (a), shall be submitted to and approved in writing by the Local Planning Authority within six 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 2018 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).

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.