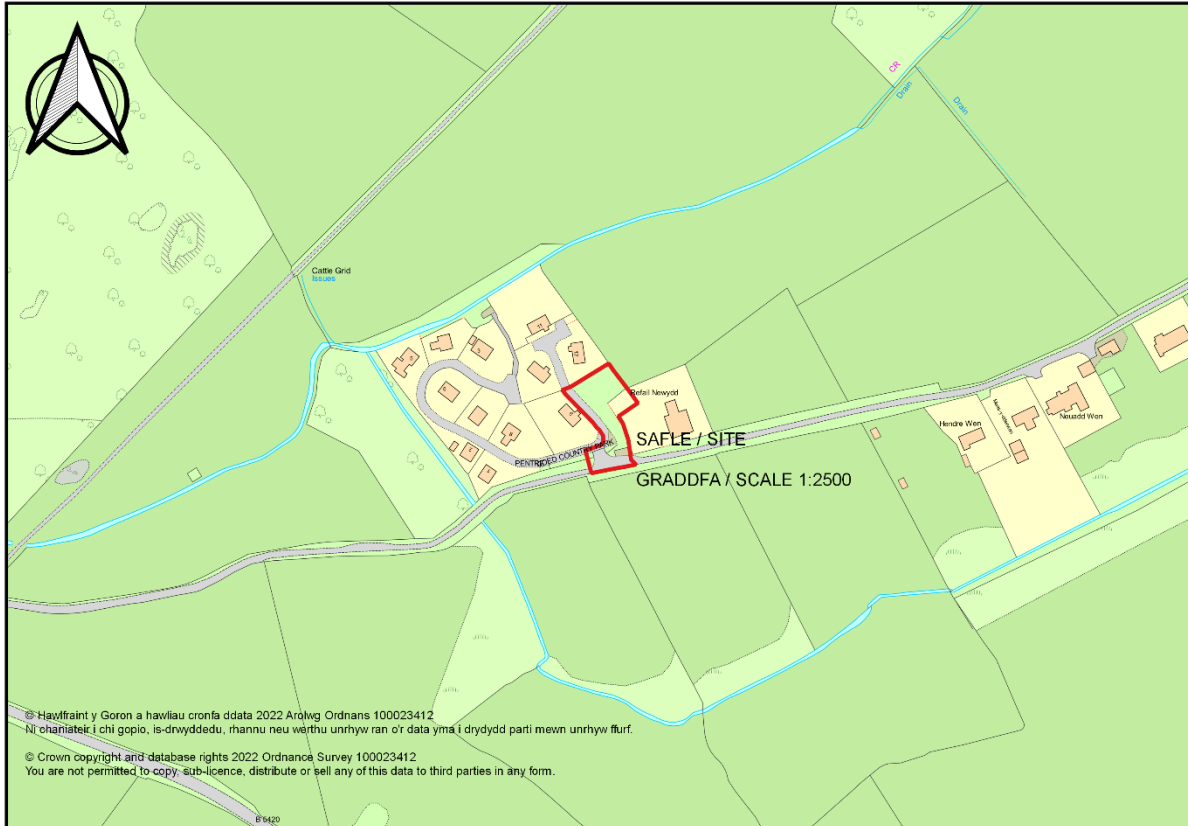


**Application Reference:** FPL/2021/267

**Applicant:** Ruane and Newall Partnership c/o Omega Site Service Ltd

**Description:** Full application for the erection of holiday lodge together with associated works at

**Site Address:** Plot 13, Pentre Coed, Menai Bridge



**Report of Head of Regulation and Economic Development Service (Joanne Roberts)**

**Recommendation:** Permit

**Reason for Reporting to Committee**

At the request of Councillor Alun Mummery and former Councillor R Meirion Jones.

**Proposal and Site**

The application is made for the erection of a holiday lodge together with associated works at Plot 13 Pentre Coed, Menai Bridge.

The application site is located in the open countryside on land forming part of the Pentre Coed holiday lodge park in Menai Bridge. Pentre Coed is an established holiday lodge park comprising 12 holiday lodges.

## Key Issues

The key issues are whether the proposal complies with relevant local and national planning policies and whether the proposal is acceptable in terms of its location, design, appearance, highway safety and impacts upon the amenities of neighbouring properties.

## Policies

### Joint Local Development Plan

Strategic Policy PS 14: The Visitor Economy  
Strategic Policy PS 4: Sustainable Transport, Development and Accessibility  
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment  
Strategic Policy PS 5: Sustainable Development  
Strategic Policy PS 1: Welsh Language and Culture  
Policy PCYFF 4: Design and Landscaping  
Policy PCYFF 3: Design and Place Shaping  
Policy PCYFF 1: Development Boundaries  
Policy PCYFF 2: Development Criteria  
Policy TRA 4: Managing Transport Impacts  
Policy TRA 2: Parking Standards  
Policy TWR 2: Holiday Accommodation  
Policy AMG 5: Local Biodiversity Conservation

Planning Policy Wales (Edition 11, February 2021)

Technical Advice Note 12: Design (2016)

Technical Advice Note 13: Tourism (1997)

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

Supplementary Planning Guidance - Tourism Facilities and Accommodation - March 2021

### Response to Consultation and Publicity

Consultee	Response
Cyfoeth Naturiol Cymru / Natural Resources Wales	No comments.
Ymgynghoriadau Cynllunio YGC	Comments regarding SuDS requirements.
Priffyrdd a Trafnidiaeth / Highways and Transportation	Comments/conditions.
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Comments/advice in relation to the relevant policy framework.
Cynghorydd Alun Wyn Mummery	Request that the application be referred to the Planning Committee for determination.
Cynghorydd Meirion Jones	Request that the application be referred to the Planning Committee for determination.
Cynghorydd Robin Wyn Williams	No response at the time of writing the report.
Cyngor Tref Porthaethwy / Menai Bridge Town Council	No comments.

Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	No response at the time of writing the report.
Iechyd yr Amgylchedd / Environmental Health	Comments in relation to environmental considerations.

The application was afforded statutory publicity. This was by the posting of personal notification letter to the occupiers of the neighbouring properties. The latest date for the receipt of representations was the 23/03/2022.

A total of 8 representations have been received in relation to the application. It is noted however, that several of the representations include comments in relation to wider Pentre Coed development and which are not directly relevant to the application under consideration which must be assessed and determined on its own merits. The Local Planning Authority is aware that, where relevant, alleged breaches of planning control have been investigated by the Enforcement Team. The comments raised, as far as they are relevant to the subject application, are summarised below:

<b>Comment Raised</b>	<b>Response</b>
Concern regarding the adequacy of the sewage systems and soakaways to cope with additional loading	<i>The application has been subject to statutory consultation with relevant departments and agencies and no concerns have been raised by the relevant consultees in relation to the proposed drainage arrangements.</i>
There has been many amendments approved to the 4 recently developed units at the site, if this additional units is approved how will the council ensure that there won't be any amendments to conditions of this development and that this is noted on the application and understood by the developer	<i>Provisions exists within the Planning Legislation to allow applications for amendments to approved developments. The LPA cannot prohibit the submission of such applications which would have to be assessed and determined on their own merits and in accordance with relevant local and national development plan policies and guidance</i>
It is stated in the application that this holiday units will be specifically for people with disabilities. How will it be ensured that this will be the case and what systems will be in place to ensure this. Furthermore, why couldn't one of the 4 recently developed units have been designed or adapted to cater for disabled persons	<i>It is stated in the application that the development is designed to cater specifically for persons with disabilities, whilst commendable, this will not be a decisive factor in the assessment and determination of the application. Acceptability of the proposal will be dependent upon it otherwise conforming with relevant development plan policies.</i>
What message does approving ever more second homes or holiday homes which can be occupied throughout the year give to local people who cannot afford to buy or rent a home in their local area as a result of the immense problem with second homes on Anglesey.	<i>Noted, however the application must be assessed and determined on the basis upon which it has been submitted and in accordance with relevant local and national development plan policies and guidance.</i>
Concern that the proposal would constitute an overdevelopment of the site	<i>It is evident from the plans submitted with the application that there is ample space within the site to comfortably accommodate the proposal without appearing cramped. It is not therefore considered that the proposal would result in the over-development of the site.</i>

Concern regarding the suitability of the access and road network to cope with the increased traffic.	<i>The Highways Department have been consulted on the proposal and have raised no concerns in this regard. The development of one further unit at the site, is unlikely to give rise to a significant increase in traffic or have a detrimental impact upon highway safety.</i>
Approval of various amendments to the 4 recently developed units have resulted in substantially different development to that originally granted and they are more akin to an urban housing estate which is already oppressive and out of keeping with the rural character of the area without adding another one.	<i>Notwithstanding that there has been amendments to the original proposals, they were pursuant to appropriate applications and deemed to be acceptable having regard to relevant policies, the proposed unit is in keeping with the existing development on this part of the site.</i>
In his report to the Welsh Government last March, Simon Brookes warned that second homes were spreading from coastal areas into the open countryside and this is busy happening on Anglesey and certainly in the case of Pentre Coed.	<i>Noted, however unless and until there are changes to planning legislation in relation to second/holiday homes, applications must be considered in light of current policies.</i>
Reference is made in the application to the 'established country park', this is a 'country park' that has developed into an estate of permanent dwellings for incomers along a country lane in Anglesey's countryside	<i>Noted.</i>
The Planning Department has allowed the occupiers of these properties to occupy them for 12 months of the year without restrictions and it is known that people have been occupying them permanently despite the fact that there is a condition that they cannot be used as permanent residences.	<i>Notwithstanding the contradictions of this statement, the use of the units are restricted by condition for holiday purposes only. Any approval granted for this development will also be subject to a condition restricting its use for holiday purposes.</i>
Concern regarding the impact of the development on the Welsh language.	<i>Whilst the application does not trigger a requirement for a Welsh Language Statement or Welsh Language Impact Assessment Report, it does nevertheless need to show how consideration has been given to the language and sufficient information has been provided as part of the planning application to satisfy the requirements of the policy PS1.</i>
Concern regarding the expansion of holiday developments such as Pentre Coed when there is already ample provision locally	<i>Consideration is given in the main body of the report as to whether the proposal would lead to an over-provision of such accommodation within the areas.</i>
Concern that there is a risk that the unit would be used as a permanent residence rather than holiday accommodation	<i>Any permission granted would be subject to a condition restricting its use for holiday purposes only.</i>
Concern that there is potential for overlooking and loss of privacy of the adjacent property	<i>It is not considered that the proposal will give rise to unacceptable impacts upon the amenity of neighbouring properties by virtue of overlooking or</i>



	<i>loss of privacy as there is sufficient separation between the proposed unit and neighbouring properties which complies with SPG guidance on proximity.</i>
The design of the units do not meet modern energy standards	<i>Ensuring that the proposal meets relevant build standards is a matter for Building Control.</i>
The timing of the submission of the application appears to be so as to avoid the new second homes laws to be introduced shortly	<i>The application must be assessed and determined in accordance with local and national planning policies and legislation in force at the time.</i>
The submitted business plan highlights that the unit would be used primarily as a second home (as is the case for many of the existing units at the site) and is not therefore a genuine tourism development.	<i>Any approval granted for the development will be subject to a condition that it be used as holiday accommodation only and would apply irrespective of whether the property is used private holiday accommodation/second home or as a holiday let business.</i>

### Relevant Planning History

39C166E – Codi 4 llety bwthyn haf yn / Erection of 4 holiday chalet lodges at Refail Newydd, Menai Bridge. Gwrthod/Refused - 19/06/2007. Caniatâu Apel/Appeal Allowed – 21/01/2008

39C166G – Ymestyn amser caniatad 39C166E yn / Renewal of permission 39C166E at Refail Newydd, Menai Bridge. Caniatâu/Approved – 20/03/2013

39C166H/DIS – Cais I ryddhau amod (08) arwyddion, o ganiatad cynllunio rhif 39C166G yn / Application to discharge condition (08) being signage from planning permission 39C166G at Refail Newydd, Menai Bridge. Amod wedi ei ryddhau/Condition Discharged – 04/02/2015

39C166K/MIN: Man newidiadau i gynllun sydd wedi ei ganiatâu yn flaenorol o dan caniatad 39C166G yn / Minor amendments to scheme previously approved under planning permission 39C166G at Refail Newydd, Menai Bridge. Caniatâu/Permitted 01/06/2015.

39C166L/DEL – Cais o dan Adran 73 i dynnu amod (03) (meddiannu), amrywio amod (05) (rhestr) a dileu amodau (11), (12) a (13) (cod ar gyfer cartrefi cynaliadwy) o ganiatad cynllunio rhif 39C166G yn / Application under Section 73 for the removal of condition (03) (occupation), variation of condition (05) (register) and removal of conditions (11), (12) and (13) (code for sustainable homes) from planning permission reference 39C166G chalet development at Refail Newydd, Menai Bridge Caniatâu/Permitted 16/06/2015

39C166M/DIS: Cais i ryddhau amod (09) (tirlunio) o ganiatad cynllunior rhif 39C166G yn / Application to discharge condition (09) (landscaping) from planning permission 39C166G at Refail Newydd, Menai Bridge. Amod wedi'i ryddhau.Condition discharged 12/05/2015.

39C166P/MIN – Man newidiadau i gynllun sydd wedi ei ganiatâu yn flaenorol o dan caniatad rhif 39C166L/DEL er mwyn diwygio dyluniad yr cabannau yn / Minor amendments to scheme previously approved under planning permission 39C166L/DEL so as to amend the design of the chalets at Refail Newydd, Menai Bridge. Gwrthod/Refused. 07/10/2016.

39C166Q/MIN - Man newidiadau i gynllun sydd wedi ei ganiatâu yn flaenorol o dan caniatad rhif 39C166L/DEL, er mwyn ychwanegu amod y dylai'r cynllun gael ei weithredu yn unol a'r cynlluniau a gymeradwywyd dan o dan caniatad cynllunio 39C166K/MIN yn / Minor amendments to scheme previously approved under planning permission 39C166L/DEL, in order to add a condition that the

scheme should be implemented in accordance with the approved plans under planning permission 39C166K/MIN at Refail Newydd, Menai Bridge. Caniatâu/Approved. 09/01/2017.

39C166R/VAR - Cais o dan Adran 73 i ddiwygio amod (02) o caniatâd cynllunio rhif 39C166Q/MIN er mwyn diwygio dyluniad y bythynnod siale a gymeradwywyd dan gyfeirnod 39C166K/MIN yn / Application under Section 73 for the variation of condition (02) from planning permission reference 39C166Q/MIN so as to amend the design of the chalets approved under reference 39C166K/MIN at Refail Newydd, Porthaethwy/Menai Bridge. Caniatâu/Approved 07/03/2017.

39C166S/VAR - Cais o dan Adran 73 i ddiwygio amod (02) o ganiatâd cynllunio rhif 39C166R/VAR er mwyn diwygio dyluniad y sialet ar plot 3 yn / Application under Section 73 for the variation of condition (02) from planning permission reference 39C166R/VAR so as to amend the design of the chalet on plot 3 at Refail Newydd, Porthaethwy/Menai Bridge. Caniatâu Approved 08/03/2018

### **Main Planning Considerations**

The application is made for the erection of a holiday lodge together with associated works at Plot 13 Pentre Coed, Menai Bridge.

The application site is located in the open countryside on land forming part of the Pentre Coed holiday lodge park in Menai Bridge. Pentre Coed is an established holiday lodge park comprising 12 holiday lodges.

Policy PCYFF 1 of the Joint Local Development Plan (JLDP) relates to development boundaries and states that proposals within Development Boundaries will be approved in accordance with other policies and proposals of this Plan, national planning policies and other material planning considerations.

The application site is not located within a development boundary and does not therefore accord with policy PCYFF1. It is therefore necessary to consider whether the proposal conforms with other specific plan policies.

Policy PCYFF 2 relates to development criteria and requires that proposals comply with relevant plan policies and national planning policy and guidance.

Policy PCYFF 3 relates to design and place shaping and requires that all proposals will be expected to demonstrate high quality design which fully takes into account the natural, historic and built environmental context and contributes to the creation of attractive, sustainable places. Proposals, including extensions and alterations to existing buildings and structures will only be permitted provided they conform, where relevant to the policy criteria.

Criterion 1 requires that it complements and enhances the character and appearance of the site, building or area in terms of siting, appearance, scale, height, massing and elevation treatment.

Criterion 3 requires that it utilises materials appropriate to its surroundings and incorporates hard and soft landscaping and screening where appropriate, in line with policy PCYFF 4.

The design and appearance of the proposed lodge is similar to existing lodges on the recently developed second phase of the development and is therefore considered to be acceptable in terms of design in accordance with policy PCYFF 3.

Strategic Policy PS 14 of the JLDP relates to the visitor economy and states that whilst ensuring compatibility with the local economy and communities and ensuring the protection of the natural, built and historic environment the Councils will support the development of a year-round tourism industry by:

3. Managing and enhancing the provision of high quality un-serviced tourism accommodation, in the form of self-catering cottages and apartments, camping, alternative luxury camping, static or touring caravan or chalet parks;

4. supporting appropriately scaled new tourist provision and initiatives in sustainable locations in the countryside through the re-use 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.

Policy TWR 2 relates to holiday accommodation and states that proposal will be permitted, provided they are of a high quality in terms of design, layout and appearance and conform with the relevant policy criteria.

Criterion i. requires that In the case of new build accommodation, that the development is located within a development boundary, or makes use of a suitable previously developed site;

Criterion ii. Requires that the proposed development is appropriate in scale considering the site, location and/or settlement in question.

Criterion iv. Requires that the proposal is not sited within a primarily residential area or does not significantly harm the residential character of an area.

Criterion v. requires that the proposal does not lead to an over-concentration of such accommodation within the area.

The proposal is for new build accommodation located on a suitable previously developed site forming part of an existing established holiday lodge park and therefore accords with criterion i. of policy TWR 2.

The design and scale of the proposal is considered to be acceptable in accordance with criterion ii. of policy TWR 2.

The proposal is located on an established holiday lodge park and would not therefore significantly harm the residential character of the area in accordance with criterion iv.

In terms of criteria (v) of policy TWR 2, paragraph 6.3.67 of the JLDP states that to judge whether the proposed development will not lead to an over-concentration of this type of holiday accommodation within a particular location, applicants will be required to submit a detailed business plan, which demonstrates the robustness of the proposed scheme. This would enable the Council to assess whether the scheme has a realistic chance of being viable and is not speculative in nature. A business plan has been submitted with the application to assess the scheme's viability. It is considered that the business plan provides sufficient detail to satisfy the requirements of criterion v. of the policy.

Furthermore, section 4.6 of Supplementary Planning Guidance Tourism Accommodation and Facilities aims to define the issue of over-concentration with paragraph 4.6.1 stating that a high number of holiday accommodation or a concentration of holiday accommodation in a specific area can have a detrimental impact on the social fabric of communities.

Paragraph 4.6.5 states that when assessing whether or not there is an over-provision of holiday accommodation, the following should be considered:

- Whether or not there is an even distribution of holiday accommodation across the area - A provision of holiday accommodation that has been distributed evenly across the area is a way of ensuring that it does not lead to pockets of empty properties during the winter and ensures that excess pressure is not applied on local services and infrastructure at the peak of the season;

- Sociocultural impact – If holiday accommodation permeates into a traditionally residential area it can lead to a change in people's values and behaviour, and consequently, lead to them losing their cultural identity.
- Impact on the amenities of local residents, e.g. complaints regarding noise, disturbance, increase in traffic etc.
- Lack of community facilities and services - Local businesses providing for the needs of visitors more than the needs of local residents and only opening on a seasonal basis.
- Pressure on local infrastructure - The capability and capacity of local infrastructure to cope at the peak of the season.
- Quantity of holiday accommodation - Favourable consideration will not be given to applications for self-serviced holiday accommodation when the existing combination of holiday accommodation and second homes within the Community/Town/City Council area is higher than 15%. Council Tax information should be used as the information source in order to find this information.

The most recent council tax data shows that the proportion of second homes and self-catering holiday accommodation in the Menai Bridge community council area is 8.23%.

Strategic Policies PS4 and PS5 of the JLDP relate to sustainable development and transport and requires that development be located so as to minimise the need to travel and where it is demonstrated that they are consistent with the principles of sustainable development. These principles are also reiterated in PPW(11), TAN18 and the Welsh Government's Building Better Places: Placemaking and the Covid-19 Recovery (July 2020)

The application site is located on an existing established holiday lodge site and is relatively well located in terms of access to services, facilities and public transport and is therefore consistent with the principles of sustainable development.

In accordance with the Planning (Wales) Act 2015 Local Planning Authorities have a duty when making a decision on a planning application to have regard to the Welsh language, where it is relevant to that application. This is further supported by para 3.28 of Planning Policy Wales (Edition 11, 2021) together with Technical Advice Note 20 and the Supplementary Planning Guidance: Maintaining Distinctive and Sustainable Communities.

Whilst the application does not trigger a requirement for a Welsh Language Statement or Welsh Language Impact Assessment Report, it does nevertheless need to show how consideration has been given to the language. Sufficient information has been provided as part of the planning application to satisfy the requirements of the policy.

## **Conclusion**

The proposal is considered to be compliant with relevant development plan policies and is acceptable in terms of siting and design and it is not considered that the proposal would be detrimental to highway safety or the amenities of neighbouring properties.

## **Recommendation**

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

Reason: To define the scope of this permission.

**(03) Natural slates of uniform colour shall be used as the roofing material of the proposed holiday units.**

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

**(04) The commencement of the development shall not take place until there has been submitted to and approved in writing by the Local Planning Authority, a Construction Traffic Management Plan (CTMP). The CTMP shall include;**

**(i) The routing to and from the site of construction vehicles, plant and deliveries.**

**(ii) The type size and weight of construction and delivery vehicles to be used in connection with the construction of the development, having regard to the geometry, width, alignment and structural condition of the highway network along the access route to the site;**

**(iii) The timing and frequency of construction and delivery vehicles to be used in connection with the development, having regard to minimising the effect on sensitive parts of the highway network and construction routes to the site, including regard for sensitive receptors e.g. schools and network constraints;**

**(iv) Measures to minimise and mitigate the risk to road users in particular non-motorised users;**

**(v) The arrangements to be made for on-site parking for personnel working on the Site and for visitors;**

**(vi) The arrangements for loading and unloading and the storage of plant and materials;**

**(vii) Details of measures to be implemented to prevent mud and debris from contaminating the adjacent highway network;**

**The construction of the development shall be completed in accordance with the approved plan.**

Reason: To ensure reasonable and proper control is exercised over construction traffic and construction activities in the interests of highway safety.

**(05) The car parking accommodation shall be completed in full accordance with the details as shown on the submitted proposed site plan drawing number A.05.2 before the use hereby permitted is commenced and thereafter retained solely for those purposes.**

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

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

- **Site OS Plan: A.00.1**
- **Plot 13 Site Plan: A.05.2**
- **Plan View: 0030 Rev AP1**
- **Plot 13 Plans and Elevations: A05.1**

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

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PS1, PS4, PS5, PS14, PS19, TRA2, TRA4, PCYFF1, PCYFF2, PCYFF3, PCYFF4, TWR2, AMG5.

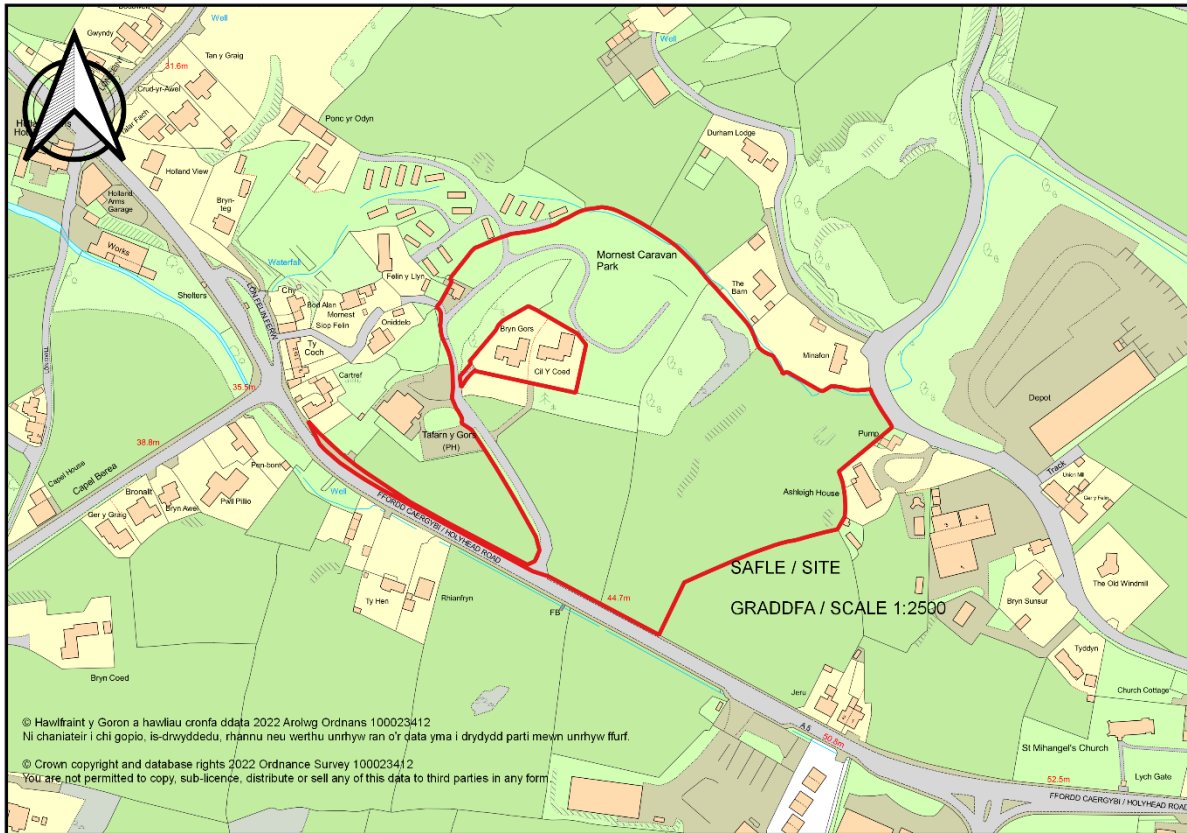
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2022/7

Applicant: Mr Moris Jones

Description: Full application for the redevelopment of existing caravan park to accommodate static caravans, and extension to site to accommodate touring caravans, together with the erection of a toilet/shower block at

Site Address: Mornest Caravan Park, Pentre Berw



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

**Recommendation:** Refuse and Permit

**Reason for Reporting to Committee**

The application was called in to be determined by the planning committee at the request of Local Member Cllr. Dafydd Roberts.

**Proposal and Site**

The proposal is made for the change of use of an agricultural enclosure to provision a new touring caravan site together with the siting of an additional 38 static caravans on the existing site in addition to the existing 20 static caravans on site.

The site is located in the open countryside of the Pentre Berw area as defined under the Anglesey and Gwynedd Joint Local Development Plan with access afforded to the site via its own private lane leading from the A5 highway. The existing site is well screened from the highway by mature vegetation and local topography, with the site itself located in a natural depression in the land due to ridges which rise to the front and rear of the site and run east to west parallel with the highway. The new touring caravan site is currently used as an agricultural enclosure, with boundary treatments of stockproof fencing and sporadic patches of gorse throughout. This site gently rises in gradient from the highway to a ridge and then drops off again towards the rear of the site where neighbouring properties are located.

## Key Issues

The key issues of the proposal are as follows:

- Principle of touring caravan site
- Principle of extension to static caravan site
- Effect on neighbouring amenity
- Ecological issues
- Sustainability

## Policies

### Joint Local Development Plan

Policy PCYFF 1: Development Boundaries

Policy PCYFF 2: Development Criteria

Policy PCYFF 3: Design and Place Shaping

Policy PCYFF 4: Design and Landscaping

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

Policy TWR 5: Touring Caravan, Camping and Temporary Alternative Camping Accommodation

Strategic Policy PS 4: Sustainable Transport, Development and Accessibility

Strategic Policy PS 5: Sustainable Development

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

Policy AMG 5: Local Biodiversity Conservation

## Response to Consultation and Publicity

Consultee	Response
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objection
Llywodraeth Cymru (Priffyrdd/Highways)	No objection
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	No response
Iechyd yr Amgylchedd / Environmental Health	Informatives
Dwr Cymru Welsh Water	Condition
Awdurdod Glo / Coal Authority	No objection
Ymgynghorydd Tirwedd / Landscape Advisor	No objection
Priffyrdd a Trafnidiaeth / Highways and Transportation	No response
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Comments



Cynghorydd Eric Wyn Jones	No response
Cynghorydd Dafydd Roberts	Called in
Cyngor Cymuned Llanfihangelceifiog Community Council	Concern in regards to landscape

The site was afforded publicity by the posting of personal letters to the occupiers of neighbouring properties. The latest date for representations to be made in response to the letter was the 08/02/2022. At the time of writing this report, 5 letters of objection had been received and their contents will be addressed later in this report.

### Relevant Planning History

FPL/2021/16 - Cais llawn i ail ddatblygu'r maes carafanau presennol i letya carafanau sefydlog ac ymestyn y safle i gynnwys carafanau symudol, ynghyd â chodi bloc toiledau/cawodydd llawn yn / Full application for the redevelopment of existing caravan park to accommodate static caravans, and extension to site to accommodate touring caravans, together with the erection of a toilet/shower block at - Mornest Caravan Park, Pentre Berw - Gwrthod / Refused

LUE/2021/14 - Cais llawn am Dystysgrif Cyfreithlondeb Defnydd Presennol ar gyfer 5 carafan statig ychwanegol yn ogystal a'r carafanau teithiol sydd wedi eu lleoli yn barhaol yn / Full application for a Certificate of Lawfulness of Existing Use for an additional 5 static caravans along with the permanently sited touring caravans at - Parc Carafanau Mornest, Pentre Berw / Mornest Caravan Park, Pentre Berw - Gyfreithlon / Lawful

### Main Planning Considerations

#### Principle of Touring Caravan Site

The relevant policy of the Anglesey and Gwynedd Joint Local Development Plan when considering new touring caravan development is policy TWR 5. Policy TWR 5 permits the creation of new touring caravan sites subject to adherence with the following criteria:

1. *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 where the units can be readily assimilated into the landscape in a way which does not significantly harm the visual quality of the landscape;*
2. *Avoids excessive areas of hard standing;*
3. *Have limited physical connection to the ground and is capable of being removed off the site out of season;*
4. *Any ancillary facilities should, if possible, be located within an existing building or as an extension to existing facilities. If no suitable buildings are available, the need for additional facilities needs to be clearly demonstrated and commensurate with the scale of the development.*
5. *That the site is close to the main highway network and that adequate access can be provided without significantly harming landscape characteristics and features;*
6. *Occupation is limited to holiday use.*
7. *That the site is used for touring purposes only and any units are removed from the site during periods when not in use.*

The site is considered to be well screened locally by topography, mature vegetation and other buildings. Views are most prominent directly outside of the site on the A5 highway, however screening planting have been carried out and their effectiveness will increase over time as they establish. The policy is worded as such that even if a site is not well screened by existing landscape features, it may be permitted providing that the units can be '*readily assimilated into the landscape in a way which does not significantly harm the visual quality of the landscape*'.

Despite the open countryside location of the site as defined under the JLDP, the area is well developed with several residential dwellings in the immediate vicinity and the Gaerwen industrial estate on the adjacent side of the highway. As such, it is not anticipated that the proposal would significantly harm the visual quality of the landscape to an extent that would run contrary to the thrust of the policy. The local authority landscape advisor had no objections to this element of the scheme and stated that the proposed landscaping would provide an appropriate buffer from the A5. Due to the above, it is considered the touring caravan element of the proposal is acceptable when considered against the criterion of policy TWR 5 and therefore will be recommended for approval.

### **Principle of Static Caravan Site Extension**

The relevant policy of the Anglesey and Gwynedd Joint Local Development Plan when considering new touring caravan development is policy TWR 3. Policy TWR 3 permits extensions to existing static caravan sites subject to adherence with the following (relevant) criteria:

*4. Outside the Anglesey Coast Area of Outstanding Natural Beauty, Llŷn Area of Outstanding Natural Beauty and the Special Landscape Areas proposals to improve existing static caravan and chalet sites by:*

- i. minor extensions to the site area, and/or*
- ii. the relocation of units from prominent settings to less prominent locations, and/or,*
- iii. a minor increase in the number of units on site,*

*will be permitted providing all of the following criteria can be met:*

- iv. That the proposed development is part of a scheme to improve the range and quality of tourist accommodation and facilities on the site;*
- v. That the proposed development offers significant and permanent improvements to the design, layout and appearance of the site and its setting in the surrounding landscape;*
- vi. In the case of a site located within the Coastal Change Management Area, that the proposed development is part of a scheme to improve the safety of occupiers of caravans or chalets;*
- vii. That any increase in the number of static holiday caravan or holiday chalet units is minor and is commensurate with the scale of any improvements to the site;*
- viii. Is appropriate when considered against other policies in the Plan.*

Paragraph 6.3.74 of the JLDP states that outside the Areas of Outstanding Natural Beauty and Special Landscape Areas a minor increase in units on site may be approved providing it can be demonstrated that the proposal offers significant landscape or environmental improvements to the site, reducing its landscape and environmental impact. Minor in relation to extending site area is not defined. Normally, the improved siting and layout of units, together with improved internal circulation, parking areas and landscaping would result in the same number or slightly less units being accommodated. However, it is recognised that there may be instances where such landscaping improvements could result in an increase in the number of units provided that the increase is minor and the increased number of units does not unacceptably harm the appearance of the site. As a general rule an approximate 10% increase in the number of units at the time of the original application, is considered minor. However, each application will be assessed on its merit within this general guide due to the considerable variety in the size, nature and location of sites.

Further to the above, it must also be noted that the site has recently received a certificate of lawful use which allows touring caravans to remain on site year round. At present, there are 20 static caravans on site and this application proposes to site an additional 38 units which will take the total number of static caravans on site up to 58 units. This equates to a 190% increase in the number of units on site which far exceeds the 10% guide figure. It is acknowledged that improvements to the site are proposed in the form of a picnic and play area, however having received clarification from the planning policy unit, the commensurate improvements to the site are only to justify the 10% guide increase and not beyond. It is acknowledged that the site benefits from lawful use to accommodate year round touring caravans,

however it is not considered that this is a material consideration that carries such weight that would supersede the policy to an extent that justifies and increase which is 180% greater than the guide. It is not considered that the proposed increase is at all minor in nature and therefore it is not considered that this element of the proposal conforms with policy TWR 3. Due to the above, the static caravan extension element of the proposal will be recommended for refusal.

### **Effect upon Neighbouring Amenity**

As mentioned above, several letters of objection had been received as part of the application publicity, with effect upon residential amenity being an issue raised in many of these letters. Having visited the site, the existing site (static caravan element) is well screened from neighbouring properties by mature vegetation which blocks off all views. It is acknowledged that users of the site may gain access to the boundary which allows direct overlooking into the neighbouring dwelling, however this area of the site is not intended for amenity space and is not actively maintained as part of the site. Having visited this part of the site, it is apparent that any visitor of the site seeking to access this area would need to negotiate undergrowth. As such, it is not considered that normal and proper use of the static caravan site would be to the detriment of neighbouring amenity.

The new proposed touring caravan site is located to the west/south west of the nearest residential properties, the closest of which being 84 metres away. This distance is sufficient to ensure that unacceptable overlooking will not occur and in terms of the general disturbance, it must be considered that the area already experiences a high amount of noise due to the existing caravan park, the A5/A55 highways and also the Gaerwen industrial estate which is a mere 142m to the south of the site. Due to the above, it is not considered that the touring caravan site would give rise to negative effects upon residential amenity to an extent that would warrant refusal.

### **Ecology**

Under policy AMG 5 and The Environment (Wales) Act, all proposals are expected to show a net gain in biodiversity. The proposal includes the planting of a substantial amount of native hedgerow which is considered to be appropriate and sufficient mitigation and biodiversity enhancement.

### **Sustainability**

Paragraph 3.39 of Planning Policy Wales states that:

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

This is supported by paragraph 3.11 of Technical Advice Note 18: Transport which states that development in rural locations should embody sustainability principles, balancing the need to support the rural economy, whilst maintaining and enhancing the environmental, social and cultural quality of rural areas. Most development should be located in places accessible by a range of travel modes.

Paragraph 3.15 of Technical Advice Note (TAN) 18: Transport, states that tourism proposals, particularly in rural areas, should demonstrate access by a choice of modes to avoid locking in the requirement for travel by car, and, in rural areas a lack of public transport access needs to be balanced against the contribution tourism makes to the rural economy in the specific area.

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

*“The planning system needs to support developments which are sited in the right locations, where they can be easily accessed by active and sustainable travel modes without the need for a car. The planning*

*system must ensure the chosen locations and resulting design of new developments support sustainable travel modes and maximise accessibility by walking and cycling. New development should improve the quality of place and create safe, social, attractive neighbourhoods where people want to walk, cycle and enjoy. We should not be promoting sites which are unlikely to be well served by walking, cycling and public transport.”*

The development is located in the open countryside of the Pentre Berw area, however it must be noted that there are 2 bus stops directly outside of the site and several others within walking distance. As such it is considered that the proposal is accessible by a range of modes of transport and embodies the principles of sustainable development. Further to this, it must also be noted that Gaerwen and its associated amenities are within walking distance of the site.

## **Conclusion**

The proposed static caravan extension to the site far exceeds the guide figure as set out in policy TWR 3 and there are no material considerations or mitigating circumstances which carry sufficient weight to override the policy. Despite the 10% figure being a guide only for minor increases in numbers, it is not considered that a 190% increase in numbers could be considered as minor. The static caravan element of the proposal is therefore recommended for refusal.

The touring caravan site is located in a highly sustainable location and complies with the relevant criterion of policy TWR 5. Despite considering all issues raised in the letters of objections, it is not considered that this element of the scheme would cause impacts upon residential amenity to an extent that would justify refusal. This aspect of the proposal shall therefore be recommended for approval.

## **Recommendation**

**Refuse** the extension to the number of existing static caravans for the following reason:

(01) The proposal by virtue of the number of new static caravans it proposes would not be minor in nature and therefore would run contrary to the provisions of policy TWR 3 of the Anglesey and Gwynedd Joint Local Development Plan.

**Permit** the touring caravan element of the application subject to the following 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 (Touring caravan site only as edged in green on the plan attached) 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 / 2587:18:1**
- **Proposed Site Plan / 001 1**
- **Proposed Site Plan / 2587:18:3E**
- **Proposed Shower/Toilet Block / 2587:20:4b**

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

**(03) The site shall be landscaped strictly in accordance with proposed site plan (Reference: 001 1) in the first planting season after completion or first use of the development, whichever is the sooner. The landscaping scheme shall be retained for the lifetime of the development hereby approved. Any trees or shrubs that are found to be dead, dying, severely damaged or diseased**

**within five years of the carrying out of the landscaping scheme, shall be replaced in the subsequent planting season by trees and shrubs of the same species and size as those originally required to be planted.**

Reason: In the interest of the visual amenity of the locality.

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

Reason: To define the scope of this permission.

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

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

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 1, PCYFF 2, PCYFF 3, PCYFF 4, TWR 3, TWR 5, AMG 5, PS 4, PS 5, PS 19.

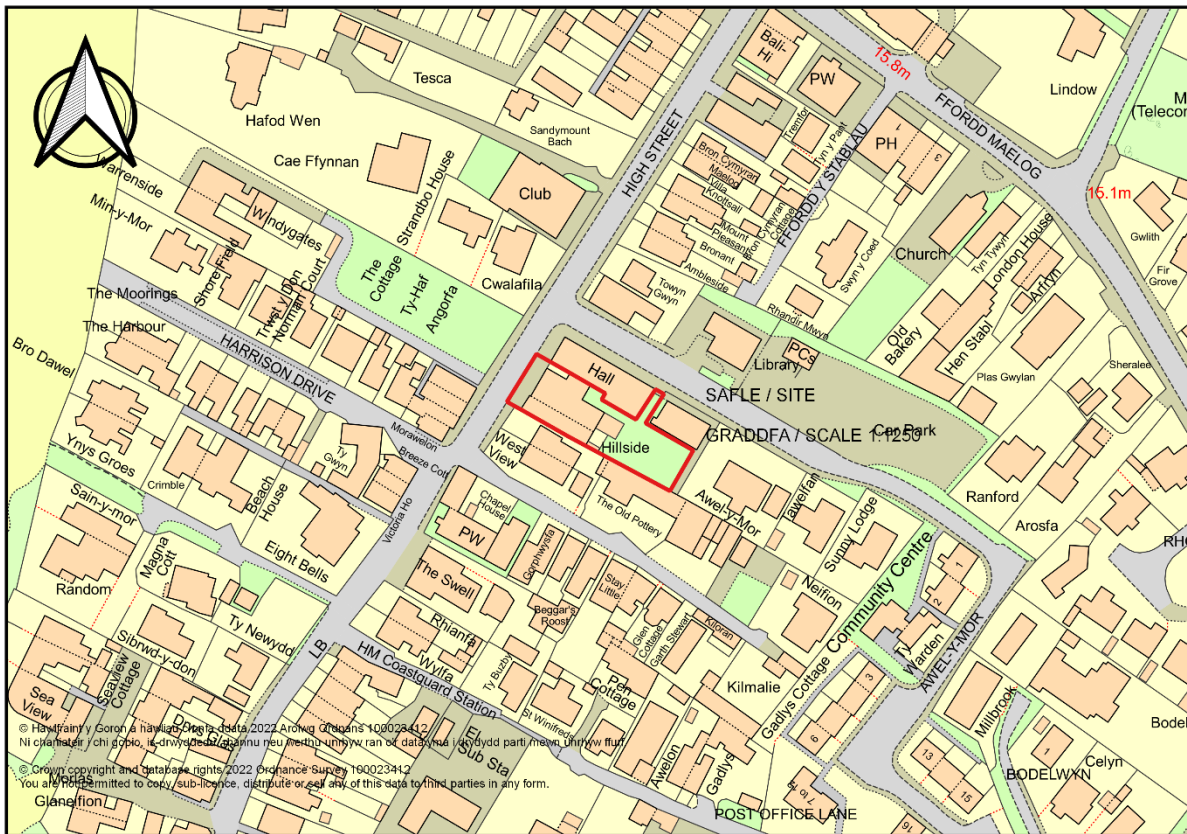
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2021/317

Applicant: Mr Matthew Bullas

**Description:** Full application for the demolition of an existing three-storey building comprising two residential flats and ground floor ancillary residential storage and the construction of a replacement three-storey building comprising two residential flats and a 10-room hotel with associated ground floor restaurant and water sports facility for guests and associated car parking at

**Site Address:** Cumbria & High Wind, High Street, Rhosneigr



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

The application has been called into the Planning and Orders Committee at the request of the former Local Member Richard Dew

**Proposal and Site**

The application is submitted for the demolition of an existing three-storey building comprising of two residential flats and ground floor ancillary residential storage together with the construction of a

replacement three-storey building comprising of two residential flats and a 10-room hotel with associated ground floor restaurant and water sports facility.

The restaurant will be used by both the hotel guest and members of the public. The water sports facility will exclusively for the use of guests of the hotel and is therefore considered ancillary to the Hotel.

The proposed hotel rooms would be located on the ground and first floor level with a total floor space of approximately 626metre squared. The rooms will include external terraces and balconies. The restaurant and sports facility will be located on the ground floor. A basement would be designated for ancillary purposes.

The two proposed residential units are proposed at the second floor. Each unit would include facilities to allow separate living accommodation, together with a balcony and access to a roof terrace via an internal staircase.

The application site is located adjoining the high street within the centre of Rhosneigr. A car parking area for both aspects of the proposal will be located to rear with access onto Awel y Mor. The Village Hall together with a Boys Institute / Snooker Hall is located to the north of the application site, with residential properties located to the west and south of the application site.

### **Key Issues**

Whether or not the proposal is justified in this location, complies with local and national polices and whether the proposal will have a detrimental impact upon neighbouring properties, character and amenity of the area and highway safety.

### **Policies**

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

Joint Local Development Plan:

Strategic Policy PS 1: Welsh language and culture  
Strategic Policy PS 4: Sustainable transport, development and accessibility  
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 PCYFF 1: Development Boundaries  
Policy PCYFF 2: Development Criteria  
Policy PCYFF 3: Design and place shaping  
Policy PCYFF 4: Design and landscaping  
Strategic Policy PS 14: The visitor economy  
Policy TWR 2: Holiday accommodation  
Strategic Policy PS 15: Town Centres and Retail  
Policy MAN 1: Proposed town centre developments  
Policy MAN 3: Retailing outside defined town centres but within development boundaries  
Policy TAI 5: Local Market Housing  
Strategic Policy PS 19: Conserving and where appropriate enhancing the natural environment  
Policy AMG 5: Local Biodiversity Conservation

Supplementary Planning Guidance:

Tourism Facilities and Accommodation (March 2021)  
Local Market Housing (March 2019)  
Maintaining and Creating Distinctive and Sustainable Communities (July 2019)

## Response to Consultation and Publicity

Consultee	Response
Cynghorydd Richard Dew	Application referred to committee. Concerns regarding the proposed design and parking provision
Cynghorydd Gwilym O Jones	No Response
Cyngor Cymuned Llanfaelog Community Council	Concerns regarding the proposed access, the availability of parking, development at the front of the site which would impact upon nearby uses, impact upon the amenity of nearby residential properties, land ownership and foul drainage.
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Comments provided are included within the main core of this report
Draenio Gwynedd / Gwynedd Drainage	Due to the size and nature of the development it may be necessary to provide an application to the SAB for approval prior to the commencement of the building work. No drainage details have been provided and until an application is made to the SAB there remains some uncertainty whether the proposed site layout would enable full compliance with the suite of national SuDS standards
Dwr Cymru/Welsh Water	Pre commencement condition recommended to ensure foul water drainage can be adequately discharged.
Ymgynghorydd Tirwedd / Landscape Advisor	No Objection
Iechyd yr Amgylchedd / Environmental Health	Conditions recommended to ensure the proposed development will not have a detrimental impact upon residential amenity. These include control during the construction phase and the proposed ventilation and extractor units. Informative advice is also provided.
Gwasanaeth Addysg / Education Service	Since there no increase in the number of residential units, there is no need for a financial contribution.
Y Dreth Gyngor / Council Tax	Two properties have been included within the register since 1993
Strategol Tai / Housing Strategy	No Objection
Tourism Partnership North Wales	No Response
Priffyrdd a Trafnidiaeth / Highways and Transportation	Following the submission of a Transport Statement and a speed / volume survey, the Local Highways Authority are satisfied the proposed development will not have a detrimental impact upon highway safety or highway network including parking.



Ymddiriedolaeth Archaeolegol Gwynedd Gwynedd Archaeological Trust	No comments
Cyfoeth Naturiol Cymru / Natural Resources Wales	No Objection - Informative Advice
Cynghorydd Richard Dew	
Gritten Ecology	No Objection - Mitigation measures contain within the submitted bat scoping survey report is adequate to maintain and enhance biodiversity.

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties. The publicity process has been undertaken on two occasions following the receipt of amended plans. The latest date for the receipt of any representation was the 18/01/2022. At the time of writing this report, 52 representations had been received at the department. The key points are summarised below:

- The proposed development will have a detrimental impact upon the amenity of adjoining and nearby properties.
- Concerns the proposed use will cause an unacceptable level of noise and smell / odours.
- Concerns regarding the proposed access / highway safety, increasing in vehicular movement and the number of parking spaces being provided.
- Concerns regarding the construction phase
- Concerns regarding drainage (including foul drainage) and flooding
- Concerns regarding deliveries and disruption.
- Question whether there is a need for the proposed development
- Proposed development is out of character within the area
- Overdevelopment of the site
- Land ownership.
- Concerns that the proposed development would be located on the pavement fronting the site and resulting nearby uses.
- Proposed development would offer numerous benefits including employment for the local community, income for the village and a boost for the tourism industry
- Existing building is out of character and an eyesore. Proposed development would more in keeping with the area.
- There is a short supply of Hotel accommodation within the area.

### **Relevant Planning History**

28C83 - Change of Use of ground floor property into a motor car sales showroom - approved 21/10/1987

28C83A - Formation of a new shopfront - Approved 06/02/1989

LUE/2021/22 - Application for a Lawful Development Certificate for the existing use of two residential flats (Class Use C3) as approved under planning permission reference V/1689a together with the use of the existing ground floor of the building as ancillary residential purposes for the two flats – Lawful 25/11/2021

### **Main Planning Considerations**

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

##### **Hotel:**

The principle Joint Local Development Plan (JLDP) policy in dealing with this part of the proposal is policy TWR 2: Holiday Accommodation. The water sports facility is exclusive to the use of the Hotel and therefore considered as ancillary to its use.

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

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

The application site is located within the development boundary and makes use of previous development land, satisfying criteria (i).

Rhosneigr is categorised as a Local Service Centre which is one of the higher order settlements in the settlement strategy as defined within the JLDP. The proposed building would occupy the same footprint as the existing building and reflect the scale of the existing three storey building. In addition, the proposed building would be no higher than the existing building. It is therefore considered that the proposed building is appropriate in scale which accords with criteria (ii). Further consideration to its impact upon the character of the area is given later within the report.

A Certificate of Lawfulness of Existing Use (CLEUD) has recently been granted for use of the land and building for residential purposes comprising two residential units and ancillary ground floor garage / storage area. In addition to the Hotel, the proposal also includes two separate residential units. As such, no loss of permanent housing stock will result from the proposed development in accordance with criteria (iii).

The application site is located within an area which has a mixture of both residential and commercial properties. It is therefore considered that the application site is not located within a primarily residential area, which satisfies criteria (iv). The impact of the proposal, in particular upon the amenity of nearby residential users will be considered later within the report.

In terms of criteria (v), granting permission for self-catering holiday accommodation in Rhosneigr would be contrary to the guidance found in section 4.6 of the Tourism Accommodation and Facilities Supplementary Planning Guidance (SPG). The SPG states that favourable consideration would not be given to applications for self-serviced holiday accommodation when the existing combination of holiday accommodation and second homes within the Community/Town/City Council area is higher than 15%.

The most recent council tax data shows that the proportion of second homes and self-catering holiday accommodation in the Llanfaelog community council area is 36.29% which is more than double the 15% threshold in the SPG.

However, the proposed development is for a serviced holiday accommodation (i.e. a Hotel with no self-catering facilities). As such, information in paragraph 6.3.67 of the JLDP states that in order to judge whether the proposed development will not lead to an over-concentration of this type of holiday accommodation within a particular location, applicants will be required to submit a detailed business plan which demonstrates the robustness of the proposed scheme.

A comprehensive business plan has been submitted with the application which indicates there is a need for serviced accommodation in the locality.

## **Restaurant:**

As previously noted, the ground floor of the proposal includes a restaurant which will be open to both guests of the hotel and to the public. Strategic Policy PS 15 of the JLDP seeks to protect and enhance the vitality and viability of town centres and their retail, service and social functions. Rhosneigr is recognised as a Local Retail Centre within the settlement hierarchy contained in Policy PS 15. A diverse mix of suitable uses is encouraged within high quality urban centres and attracts a wide range of people at different times of the day.

Policy MAN 1: Proposed Town Centre Developments which states that:

“Retail and commercial proposals outside the defined town centres will need to be supported by evidence of need for additional provision and satisfy the sequential approach set out in national planning policy and accord with other policies in the Plan.”

The principle of Policy MAN 1 is further supported by Policy MAN 3 (Retailing Outside Defined Town Centres but within Development Boundaries).

It is considered that the town centre of Rhosneigr as defined on the proposal map is relatively small. The applicant has noted there are no suitable vacant sites within the town centre boundary which is able to accommodate the proposed development. As such it is considered that a sequential test is not required in this instance and that the need for the proposed development has been outlined in accordance with national policy and Policy PS15 and MAN1 of the JLDP.

## **Residential Units:**

The two residential units are proposed on the second floor of the proposed building. These units are separate and independent residential units, not forming part of the hotel.

The site is located within the development boundary of Rhosneigr as specified in the Anglesey and Gwynedd Joint Local Development Plan. In accordance with Policy PCYFF 1 (Development Boundaries), proposals within development boundaries will be approved if they are in accordance with the other policies and proposals of the Plan, national planning policies and other material planning considerations.

In the JLDP, Rhosneigr is identified as a ‘Local Service Centre’ in Policy TAI 5 ‘Local Market Housing’. This policy notes that subject to Policy TAI 15 regarding the provision of affordable housing, local market housing will be permitted within the development boundary of settlements that are relevant to the policy. Providing new open market dwellings in Rhosneigr would not be acceptable.

It is noted in the Local Market Housing SPG that Policy TAI 5 “is relevant to all proposals that create new residential units (use class C3 and C4) within the specific settlements noted in the Policy”. As previously noted, a CLEUD has recently been approved at the land which confirms that the current building lawfully contains two existing (C3) residential units. As such, it is considered that this proposal would not lead to an increase in the number of residential units. Consequently, the requirements of Policy TAI 5 would not be relevant in this regard.

Given that the proposal does not increase the number of residential units, it would not meet the threshold to consider affordable housing provision. It would also not be necessary, to consider factors in relation to the indicative supply level for Rhosneigr.

It is important to ensure that the type of residential units proposed is acceptable in terms of promoting a sustainable mixed community by ensuring that all new residential development contributes to improving the balance of housing and meets the identified need of the whole community as stated in Policy TAI 8 (‘Appropriate Housing Mix’). The existing 4 bedroom flats are to be replaced by 3 bedroom flats. The housing service has been consulted upon the application and raised no objection to the proposal.

## **The Welsh Language:**

In accordance with the Planning (Wales) Act 2015 Local Planning Authorities have a duty when making a decision on a planning application to have regard to the Welsh language, where it is relevant to that application. This is further supported by para 3.28 of Planning Policy Wales (Edition 10, 2018) together with Technical Advice Note 20.

The 'Maintaining Distinctive and Sustainable Communities' Supplementary Planning Guidance (SPG) (adopted July 2019) provides further guidance on how Welsh language considerations are expected to be incorporated into all relevant developments.

It is noted that there are certain types of developments where the proposal will require a Welsh Language Statement or a Welsh Language Impact Assessment Report. Thresholds for when a Statement / Report is expected to be submitted are highlighted in Policy PS1 of the JLDP together with Diagram 5 of the SPG. This proposal does not meet these thresholds.

Guidance on the types of relevant applications where the Welsh language needs to be considered is given in Appendix 5 (Screening Procedure) of the SPG (part CH). The guidance contained in Appendix 5 states that all retail, commercial or industrial developments which do not require the submission of a Welsh Language Statement / Assessment should show how consideration has been given to the language.

In terms of the residential aspect of the proposal, as there isn't an increase in the number of housing units, then a Welsh Language Statement would not be required in relation to this aspect.

Information has been submitted by the applicant noting that the Welsh Language would be incorporated in to the hotel design including signs and menu for the restaurant. It is considered that the information provided is sufficient in relation to the content of Section Ch of Appendix 5 in terms of the impact upon the Welsh Language. In addition, the proposed development would also create a number of jobs which would benefit local people and the Welsh Language.

## **Sustainability:**

The application site comprises previously developed land within the centre of Rhosneigr. On the grounds of sustainability, PPW promotes the re-use of such sites in existing settlements where there is vacant or under-used land for suitable uses.

Policy PS 5 (Sustainable Development) supports development which is consistent with sustainable development principle, where appropriate, development should "Reduce the need to travel by private transport and encourage opportunities for all user travel when required as often as possible by means of alternative modes, placing particular emphasis on walking, cycling and using public transport in accordance with Strategic policy PS 4;" (Bullet point 12, Policy PS 5)"

It is considered that the policies contained within the JLDP are consistent with national planning policy in terms of its approach to sustainable development principles. Paragraph 3.39 of PPW (Edition 11, 2021) states:

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

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

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

The site is serviced by pedestrian footways and bike routes which links to other nearby public service such as the nearby train station. Bus stops are located within the immediate vicinity which links to key destinations across Anglesey and North Wales. Numerous services including shops and restaurants are located within the nearby vicinity which will reduce the need to travel. It can therefore be concluded that the proposed development would be in accordance with policy PS5, PPW and TAN 18, in terms of being in a sustainable location.

### **Site Context and Proposed Development:**

The application site has an area of almost 900 square meters. The proposed building itself would be located in the same footprint of the existing building, sited at the most western part of the site. The building would reflect the existing pattern of design by continuing the three storey aspect and directly abutting the main highway. The amenity areas are included in terms of balconies and terraces areas. Refuse, parking and cycle storage areas are located to the rear.

Although it is acknowledged that the site is limited in terms of its area, planning policy puts emphasis on the need to make best and efficient use of land, in particular on previously developed land in sustainable locations. Given due consideration to the existing development and the receipt of amended plans which reduces the bulk and scale of the building, on balance it is considered that the proposed development can acceptably integrate into the site without appearing cramped or overdeveloped.

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

At its core, one of the most fundamental considerations 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 considerations in assessing the proposal from this aspect.

It is expected that the proposed developments would include the principles of good quality design. The application site is not located within any relevant designated areas such as a Conservation Area. Any design should also respect the character of the landscape and should not introduce a development that is incongruous or intrusive within the landscape.

This area of Rhosneigr has occurred on a piecemeal and ad-hoc basis over a prolonged period of time. This part of the village is generally typified by a range of residential and commercial properties of varying sizes, scales and designs. Over recent years, an increasing number of modern designs which include an array of contemporary materials have been constructed within the area.

The existing three – storey building which has a mixture of materials including brick, render and plastic cladding. The existing building is not considered of any architectural merit worthy of retention or vulnerable to change.

Given the mixture of designs within the immediate vicinity and the nature of the existing building, it is considered that the proposed development would represent a high quality contemporary design which would be an enhancement to the appearance of the site within the heart of Rhosneigr. The materials include brick, aluminium and glass balustrades.

It is therefore considered that the proposed development would not detract or appear out of character with the area or appear incongruous or intrusive within the built up character of its surroundings.

### **Impact 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 7 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. Criteria (iv) of policy TWR 2 also aims to protect the neighbours from development which may harm their amenity.

The proposal will also need to have regard to the council's SPG Design for the Urban and Rural Environment in terms of the proximity of development to prevent overlooking and other unacceptable impacts particularly on existing properties in the proximity.

Existing dwellinghouses are located along the eastern and southern boundary of the application site.

Although there would be no increase in height in comparison to the existing building, the footprint of the proposed building would predominately be located in the same position as the existing building.

Amended plans have been received in an effort to overcome the initial concerns raised by the Local Authority with respect to the impact upon the amenity of nearby residential properties. The amendments plans included reducing the scale of the proposed structure along the southern boundary.

The second floor balcony has been removed from the southwest corner and replaced with a Juliet Balcony. This would allow the proposal to comply with the 45 degree line which is taken from the centre of the first floor window in the front elevation of the adjoining property in accordance with the guidance contained within the Supplementary Planning Guidance (Design for the Urban and Rural Environment). Due to these amendments, it is not considered that the scale of development along the southern boundary would have a detrimental impact on the outlook of Bryn Tawel, located along this boundary.

Notwithstanding the submission of amended plans, it is acknowledged that a greater amount of the three storey aspect would be located along the southern boundary in comparison to the existing structure. However, it is apparent that the majority will be located adjoining the gable end to the adjoining property which does not have any habitable windows. As such, on balance it is not considered that the proposed development will appear as an overbearing structure which would have a negative or detrimental impact upon the outlook of the adjoining property.

Other amendments include the introduction of opaque, non-opening and high level windows.

It is recognised that the existing building offers a considerable degree of overlooking. This is most evident on the southern elevation in which a first floor terrace is located allowing direct views into existing windows and amenity area of the adjoining property.

Although the proposed development entails the inclusion of both balconies and terraced areas which will be used by guests of the Hotel together with occupiers of residential units, 1.8 meter high privacy screens are being proposed. It is considered that these screens will provide sufficient mitigation to prevent overlooking which will result in a betterment in comparison to the existing arrangement.

The redevelopment of the area at the rear of the application site into a parking and turning area also has the potential to result in unacceptable impacts on the amenity of adjacent properties. This will particularly be the case given that the proposal would result in a greater intensity of use and vehicle movements to and from the site. Given the holiday nature of the proposal, it is reasonable to expect visitors to keep different hours from nearby residents, to arrive and depart later into the evening or early morning, thereby resulting in a different pattern of movements and activity from neighbouring occupiers, with the likelihood of considerable levels of noise. Several residential properties surround the proposed car parking area (The Old Pottery, Lsa Store and Awel y Mor) therefore careful consideration is given to the impacts upon their amenity.

It is noted from the site inspection that the proposed car parking and refuse area is enclosed by existing walls. (A 1.8 metre high fence will replace the existing wall along the southern boundary which was approved as part of a recent permission.) It is considered that these features will act as a natural physical mitigation measure which would contain a significant amount of activity within the site, in terms of noise and lights. In addition, control over external lighting, opening hours and delivery times will be conditioned as part of any permission.

In terms of operating the proposed use, flues and air handling units are being proposed. The Public Protection consultation response has confirmed that details of these apparatus shall be conditioned and the use not commenced until they are fully operational. This will ensure that the proposed development will not have a negative impact upon the amenity of neighbouring properties in terms of smell and noise activity.

In conclusion; any new development, particularly developments of this nature will create some impacts which may have a negative impact upon the amenity of neighbouring properties. However, on balance given due consideration to existing building and its use it is considered that proposed development will not have a significant detrimental impact upon the amenity of nearby properties. Mitigation measures have been included as part of the proposal in an effort to minimise these impacts. Conditions will be attached to the permission to ensure that the amenity of neighbouring properties are safeguarded.

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

As previously noted, the proposed development will include an area at the rear which will host a car parking and manoeuvring area. The car park will have a total of 14 car parking spaces. These would be divided in order that 10 are designated for guest of the hotel (including 2 disabled bays) and 4 for the occupiers of the residential units. Access to the vehicle parking and manoeuvring area will be accessible from an existing access at Awel y Mor.

As part of the application, a Transport Assessment has been submitted which assessed the impact of the proposed development upon the highway network. Following initial concerns being raised by the Local Highway Authority, a speed / volume survey was submitted which provided data and information with respect to number of vehicle movements within the area.

The data was collected for Awel y Mor, Rhosneigr undertaken in line with the agreed survey specification (i.e. the survey site was located to the immediate west of the proposed hotel site car park driveway connection). The data was collected over a 7-day period (Saturday 26 March – Friday 1 April 2022) and recorded both 24hr traffic volume and directional speeds at the survey station location.

A review of recorded traffic volumes at the survey site suggests that Awel Y Mor is typically lightly trafficked, with daily two-way traffic demand levels at less than 400 vehicles per day and maximum recorded hourly traffic at just 52 vehicles per hour Sunday 11:00-12:00am) – or less than 1 vehicle per minute.

The survey also suggest that average daytime approach speeds in both directions were typically below 14mph, with maximum recorded average speed taking place in the eastbound direction (to the car park) on Tuesday 29th March (14.2mph). 85th percentile figures were also noted to be low, being well below the 20mph values that were used as a reference point for the analysis of sightlines set out in the Transport Assessment. Maximum recorded directional 85th percentile values on Awel Y Mor were as follows:

- Eastbound (to car park): 18.0 mph (Tuesday 29th March)
- Westbound (from car park): 16.8 mph (Friday 1st April)

Due to the low intensity, low speed operating conditions on Awel Y Mor, the Local Highways Authority are satisfied the access can provide suitable visibility provision to ensure safe operation of this access point.

Policy TRA2 of the JLDP refers to parking standards. The policy states that parking provision for all modes of transport should be in accordance with the Councils Parking Standards. An SPG (Parking Standards) specially refers to this matter and states that in accordance with TAN18, maximum car parking standards should be used at regional and local level as a form of demand management and that turning minimum standards into maximum standards will not necessarily be appropriate.

The Local Highways Authority are aware of the limited parking spaces within the village (particularly within the visitor season), and have therefore carefully assessed the impact of the proposed development.

The proposed development provides 10 parking spaces (including 2 disabled bays) which is in accordance with the SPG (Parking Standards) for new hotel development (1 space per bedroom), with an additional 4 spaces provided within the on-site car park to support the two proposed 3-bedroom residential apartments.

Notwithstanding the above, jobs created by the development together with members of the public using the restaurant will need to be taken into consideration.

No assurance can be made that all the jobs generated by the hotel would be taken by those within walking distance and therefore it is expected that some additional demands would be placed on the local public parking provision. In addition, although the restaurant is primarily as service for guests of the hotel, it cannot be determined that all public guests using the restaurant would be associated with existing or linked trips to services and facilities in the area.

Since the application site is located within the development boundary and within very close proximity to the defined local centre as identified on the JLDP proposal map, on balance it is not considered that any increase in parking would have such a significant negative impact upon the available parking provision within the area. There are public car parks together with off street parking within the immediate vicinity. In addition, as previously noted it is considered that the site is within sustainable location in which bus stops and numerous residential and holiday accommodations located within walking distance to the site.

#### **Drainage:**

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. 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.

Welsh Water have been consulted upon the application who have requested a condition to be imposed as part of any approval to ensure that foul water drainage scheme is submitted and approved prior any works are commenced.

#### **Ecology:**

A Bat Scoping Survey Report has been submitted with the application. The report concludes that no bats were present at the site and given that the building offers poor bat roost potential, some enhancement are recommended. These recommendations including purpose built bat bricks and swift boxes.

Natural Resources Wales have assessed the application and are satisfied that the proposal will offer ecological enhancements. Conditions will be imposed accordingly to secure the proposed mitigates measures.



## **Conclusion**

The proposal would provide a new serviced accommodation within Rhosneigr which would add to the choice of tourist accommodation and bring local employment and economic opportunities and benefits to the area.

The application is acceptable in policy terms and is considered within a sustainable location in the heart of Rhosneigr. It is considered that the proposed development will not have a negative impact upon highway safety or the highway network. For the reasons set out within the report, it is considered there will be no adverse impact on the amenity of neighbouring properties.

## **Recommendation**

That the application is permitted subject to the following 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 – EX-001 Rev A
- Proposed Elevations – P-201 Rev E
- Proposed Elevations P-202 Rev C
- Proposed Site Plan – P-002 Rev G
- Site Section – P-301 Rev B
- Basement Floor Plan – P-100
- Ground Floor Plan – P-101 Rev G
- First Floor Plan – P-102 Rev H
- Second Floor Plan – P-103 Rev F
- Roof Plan – P-104 Rev F

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

**(03) The restaurant shall not be operational outside the hours of 07:00 to 20:00 Monday to Friday, 07:00 – 21:00 on Saturdays and 07:00 – 21:00 on Sundays and Bank Holidays.**

Reason: To protect the amenities of nearby residential occupiers.

**(04) Deliveries to the site shall not be carried out outside the hours of 09:00 – 17:00 Monday to Friday, 09:00 – 13:00 on Saturdays. No deliveries shall be undertaken on the Sundays or Bank Holidays.**

Reason: To protect the amenities of nearby residential occupiers.

**(05) Guests of the Hotel hereby approved shall not check into the Hotel between the hours of 21:00 - 08:00.**

Reason: To protect the amenities of nearby residential occupiers.

**(06) The shop and rental space shall be used incidental to the enjoyment of the guests of the Hotel and shall not be used for commercial purpose to members of the public.**

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

**(07) The enhancement and mitigation measures outlined with the Bat Scoping Survey Report shall be carried out in accordance with the approved detail and implemented prior to use hereby approved is commenced.**

Reason: In the interest of protected species.

**(08) Other than the two flats on the second floor of the building hereby permitted, all remaining parts of the building shall be used only as a hotel within class C1 in the schedule to the Town and Country Planning (Use Classes) Order 1987 and restaurant and no part of the hotel or restaurant shall be used as the main or sole residence for any person.**

Reason: To define the scope of this approval.

**(09) The owners/operators shall maintain an up to date register of the names of all occupiers of the hotel including their main home addresses and shall make this information available to the Local Planning Authority within 14 days of being requested by the Local Planning Authority.**

Reason: To ensure the approved Hotel is not used for unauthorised permanent.

**(10) Demolition or 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 amenity

**(11) 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.

**(12) No development shall commence until a foul water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul water flows and thereafter implemented in accordance with the approved details prior to the occupation of the development.**

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.

**(13) The access shall be retained for as long as the development remains in existence. With a 36 metre splays to the left and 25 metres to the right. Within the vision splay lines, nothing exceeding 1 metre in height above the level of the adjoining carriageway shall be permitted at any time.**

Reason – To provide adequate intersvisibility between the access and the existing public highway for safety and convenience of users.

**(14) The units hereby approved shall be occupied until the car parking an turning area are laid out and completed in accordance with Drawing no. P-002 Rev G. The turning area shall thereafter be kept available for the parking of vehicles / manouveribility in perpetuity and for the lifetime of the development.**

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

**(15) No access pedestrian or vehicular other than that indicated on the submitted plan shall be used in connection with the proposed development.**

Reason – To limit the number of access points from the development for the safety and convenience of highway users.

**(16) No surface water from within the development shall discharge onto the highway.**

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

**(17) No development shall commence, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:**

- i. the parking of vehicles of site operatives and visitors;**
- ii. loading and unloading of plant and materials;**
- iii. storage of plant and materials used in constructing the development;**
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;**
- v. wheel washing facilities;**
- vi. measures to control the emission of dust and dirt during demolition / construction;**
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works; delivery, demolition and construction working hours;**
- viii. details of all machinery being used including measures to control noise, vibration and pollution control impacts and mitigation**

**The approved Demolition Method Statement shall be adhered to throughout the demolitions and construction period for the development.**

Reason: To protect the amenity of nearby occupants

**(18) The use hereby approved shall not commence until full details of the ventilation and extractor apparatus including a noise report detailing the level of noise being emitted is submitted to and approved in writing by Local Planning Authority. The ventilation and extractor apparatus shall be fitted and be fully operational in accordance with the submitted details including any mitigation measures prior to the use being commenced. If the apparatus needs to be replaced/changed for whatever reason the replacement shall be of the same detail.**

Reason: To protect the amenities of nearby residential occupiers.

**(19) Prior to the use hereby being commenced, obscure glazed panels of 1.8 metres in height shall be provided on the balconies / roof terraces as identified on drawing numbers P-201 Rev E, P-202 Rev C, p-301 Rev B, P-102 Rev H, P-104 Rev F. The screens shall be permanently retained in that position thereafter. If the screens needs to be replaced/changed for whatever reason the replacement shall be of the same detail.**

Reason: In the interest 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: FPL/2021/349

Applicant: Mrs. Bente Whyatt

Description: Full application for the creation of a private equestrian menage together with the change of use of agricultural land into an all year camping site at

Site Address: Caerau, Llanfairynghornwy, Cemaes



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

Recommendation: Permit

### Reason for Reporting to Committee

The application was called in to be determined by the Planning Committee at the request of Local Member Cllr. Llinos Medi, who showed concern that the scheme would be tantamount to over-development of the site.

### Proposal and Site

The proposal is made for the creation of a year round camping site together with the creation of a private ménage.

The camping site is located in the open countryside of the Llanfairynghornwy area and directly North of Caerau house, with access afforded to the site via a series of single width lanes which lead from the A5025 highway. Agricultural use is currently made of the application site, with improved grassland forming the entirety of the site itself and hawthorn hedges/drystone walls forming the boundaries. The site is set back from the highway and is well screened due to mature vegetation, intervening buildings and local topography. The site includes a slight gradient, which runs from the south-east to the north-west.

The private ménage directly adjoins the cluster of buildings which are part of the Caerau site and more specifically directly to the south east the recently approved and erected stable block. This site is currently used for private horse training, with electric fencing dividing the enclosure into smaller pens. Boundaries are defined by mature vegetation and traditional 'clawdd' and provides effective screening. The site follows the same gradient as the camp site, with the higher land in the south east gently sloping to the north west and onto the current yard area.

## Key Issues

The key issues as expressed by the local member and residents are as follows:

- Principle of development
- Effect on Listed Building
- Traffic
- Ecology
- Effect on Area of Outstanding Natural Beauty

## Policies

### Joint Local Development Plan

Policy PCYFF 1: Development Boundaries

Policy PCYFF 2: Development Criteria

Policy PCYFF 3: Design and Place Shaping

Policy PCYFF 4: Design and Landscaping

Strategic Policy PS 4: Sustainable Transport, Development and Accessibility

Strategic Policy PS 5: Sustainable Development

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

Policy AMG 1: Area of Outstanding Natural Beauty Management Plans

Policy AMG 5: Local Biodiversity Conservation

Policy TWR 5: Touring Caravan, Camping and Temporary Alternative Camping Accommodation

## Response to Consultation and Publicity

Consultee	Response
Ymgynghorydd Treftadaeth / Heritage Advisor	Satisfied with landscaping scheme
Cynghorydd Llinos Medi Huws	Called in
Cyngor Cymuned Cylch-y-Garn Community Council	No response
Priffyrdd a Trafnidiaeth / Highways and Transportation	No objection
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Dim ymateb
Ymgynghorydd Tirwedd / Landscape Advisor	Condition securing landscaping

Cyfoeth Naturiol Cymru / Natural Resources Wales	Condition requiring landscape management plan
Ymgynghoriadau Cynllunio YGC	Developer should be aware of risk from surface water flooding
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Comments
Dwr Cymru/Welsh Water	No objection
Iechyd yr Amgylchedd / Environmental Health	No objection
Cynghorydd Llio Angharad Owen	No response
Cynghorydd Jackie Lewis	No response

Publicity was afforded to the scheme by the posting of personal letters to local residents, together with the placing of an advert in the local newspaper and the placing of a notice in the vicinity of the site. The latest date for representations to be made in response to the above was the 08/06/2022. At the time of writing this report, 14 letters of objection had been received which raised issues as highlighted in the key issues section of this report (above).

### Relevant Planning History

LBC/2020/20 - Caniatâd Adeilad Rhestredig ar gyfer addasiadau mewnol yn/ Listed Building Consent for internal alterations at - Caerau, Llanfairynghornwy - [object Object] - Caniatáu / Permit

18C223G/SCR - Screening Opinion - Barn Sgrinio i newid adeilad allanol i lety gwyliau ynghyd a gosod tanc septic yn / Screening Opinion for conversion of an outbuilding into a holiday unit together with the installation of a septic tank at - Caerau, Llanfairynghornwy

18C223K - Full Planning - Cais llawn i newid defnydd adeilad allanol i lety gwyliau ynghyd a gosod tanc septic newydd yn / Full application for the conversion of outbuilding into a holiday accommodation together with the installation of a septic tank at - Caerau, Llanfairynghornwy

18C223D/LB - Listed Building Consent - Cais am Ganiatâd Adeilad Rhestredig ar gyfer newid adeilad allanol i lety gwyliau ynghyd a gosod tanc septic yn / Application for Listed Building Consent for conversion of an outbuilding into a holiday unit together with the installation of a septic tank - Caerau, Llanfairynghornwy

18C223E - Full Planning - Cais llawn i newid adeilad allanol i lety gwyliau ynghyd a gosod tanc septic yn / Full application for conversion of an outbuilding into a holiday unit together with the installation of a septic tank at - Caerau, Llanfairynghornwy

18C223H/LB - Listed Building Consent - Caniatâd Adeilad Rhestredig ar gyfer newid defnydd adeilad allanol i lety gwyliau yn / Listed Building Consent for conversion of an outbuilding into holiday accommodation at - Caerau, Llanfairynghornwy

18C223A - Full Planning - Cais llawn i ail-doi'r to llechi presennol gyda llechi Cymreig naturiol, ail-rendro ac ail-bwyntio'r simneiau ynghyd â gosod ffenestri gromen yn / Full application to re-roof the existing slate roof with natural Welsh slate, re-render and repoint the chi - Caerau, Llanfairynghornwy

18C223/LB - Listed Building Consent - Caniatâd Adeilad Rhestredig i ail-doi'r to llechi presennol gyda llechi Cymreig naturiol, ail-rendro ac ail-bwyntio'r simneiau, gosod ffenestri gromen ynghyd a gosod nwyddau dwr glaw newydd yn / Listed Building Consent to re-roof the existing slate roof - Caerau, Llanfairynghornwy

18C223B/LB - Listed Building Consent - Cais Adeilad Rhestredig ar gyfer gwaith newidiadau mewnol ac ailwampio yn / Listed Building Consent for internal alterations and refurbishment at - Caerau, Llanfairynghornwy

18C223L/LB - Listed Building Consent - Caniatâd Adeilad Rhestredig ar gyfer dymchwel ac addasiadau i dau simneiau yn / Listed Building Consent for demolition and alterations to two chimneys at - Caerau, Llanfairynghornwy

18C223N/LB - Listed Building Consent - Caniatâd Adeilad Rhestredig ar gyfer gwaith altro mewnol yn lfw[pl/ Listed Building Consent for internal alterations to - Caerau, Llanfairynghornwy

## **Main Planning Considerations**

### **Principle of Camping Development**

Under the Anglesey and Gwynedd Joint Local Development Plan, Policy TWR 5 is the relevant policy whilst considering the principle of camping type developments. Policy TWR 5 supports the creation of new camping sites providing that they conform with the following criteria:

1. 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 where the units can be readily assimilated into the landscape in a way which does not significantly harm the visual quality of the landscape;
2. Avoids excessive areas of hard standing;
3. Have limited physical connection to the ground and is capable of being removed off the site out of season;
4. Any ancillary facilities should, if possible, be located within an existing building or as an extension to existing facilities. If no suitable buildings are available, the need for additional facilities needs to be clearly demonstrated and commensurate with the scale of the development.
5. That the site is close to the main highway network and that adequate access can be provided without significantly harming landscape characteristics and features;
6. Occupation is limited to holiday use.
7. That the site is used for touring purposes only and any units are removed from the site during periods when not in use."

The location is considered to be unobtrusive and is well screened from public views. Distant views from the highway are possible from the north east of the site, however a robust landscaping scheme was agreed with the local authority Trees and Landscape Officer which bolsters the existing hedge to ensure a more effective screening over time. It must also be considered that the site is directly adjoining the cluster of buildings at Caerau and as such it is considered that the development will be readily assimilated into the landscape. The camping site is located in somewhat of a natural depression in the land and is not considered to be a prominent location. Any views of the site will be seen in the context of the existing development of Caerau and would not incur any additional visual impact that would be of an extent that would warrant refusal.

### **Traffic**

Traffic generated by the development was a major concern of local residents and also by the local members. Having raised this concern with the highways department, it was requested that a transport survey was carried out which assessed the current traffic on the affected roads, the traffic generated by the development (and other developments on site) and the capacity of highway network to accommodate this traffic. Having completed this survey, it was found that the traffic generated by this development and the 9 holiday lodges on site would not have a material impact on the surrounding highway network. The survey was completed on an Easter bank holiday weekend therefore the highway department was satisfied that the survey was fit for purpose and accounted for current traffic peaks. Highways had no further objection to the scheme.

## **Listed Building and Area of Outstanding Natural Beauty.**

Myself as the case officer and the County Council's Tree and Landscape Officer visited the site to ascertain the possible visual impacts of the scheme upon the AONB and to agree a suitable landscaping scheme. Having finalised a landscaping scheme to the satisfaction of the local authority Landscape Officer, it is considered that the development at minimum conserves the natural beauty of the area of outstanding natural beauty and to that effect, conforms with policy AMG 1 of the joint local development plan which seeks to ensure that all developments in the AONB either conserve or enhance natural beauty.

The County Council's Heritage Officer was of the opinion that the private ménage would not materially effect the setting of the listed buildings on site. The landscaping scheme submitted was also considered by the Heritage Officer to be sufficient mitigation to prevent harm to the setting of the listed building adjoining the proposed camp site.

## **Ecology**

Under policy AMG 5 and The Environment (Wales) Act, all proposals are expected to show a net gain in biodiversity. The proposal includes the planting of a substantial amount of native hedgerow which is considered to be appropriate and sufficient mitigation and provides biodiversity enhancement.

## **Sustainability**

Paragraph 3.39 of Planning Policy Wales states that:

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

This is supported by paragraph 3.11 of Technical Advice Note 18: Transport which states that development in rural locations should embody sustainability principles, balancing the need to support the rural economy, whilst maintaining and enhancing the environmental, social and cultural quality of rural areas. Most development should be located in places accessible by a range of travel modes.

Paragraph 3.15 of Technical Advice Note (TAN) 18: Transport, states that tourism proposals, particularly in rural areas, should demonstrate access by a choice of modes to avoid locking in the requirement for travel by car, and, in rural areas a lack of public transport access needs to be balanced against the contribution tourism makes to the rural economy in the specific area.

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

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

The development is located in the open countryside of the Llanfairynghornwy area, however it must be noted that the village itself includes a bus stop which is within 1.1km walking distance of the site. As such it is considered that the proposal is accessible by a range of modes of transport.



## Conclusion

The proposal conforms with all the relevant policies of the Joint Local Development Plan and has reasonably demonstrated that no material harm will be caused to the local highway network. Having considered the above and all objections received as part of the application, It is considered that the proposed development is acceptable.

## Recommendation

That the application is permitted subject to the following 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 (Camping) / SH3291NW
- Location Plan (Menage) / SH3291NW
- Landscape Plan / N/A (Received 22/03/2022)
- Proposed Camping Area / BSW 20/12/2021
- Proposed Elevations Menage / 1312/MEN/01
- Proposed Floorplan Menage / BSW 20/12/2021

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

**(03) The site shall be landscaped strictly in accordance with landscape management plan received 22.03.22 in the first planting season after completion or first use of the development, whichever is the sooner. The landscaping scheme shall be retained for the lifetime of the development hereby approved. Any trees or shrubs that are found to be dead, dying, severely damaged or diseased within five years of the carrying out of the landscaping scheme, shall be replaced in the subsequent planting season by trees and shrubs of the same species and size as those originally required to be planted.**

Reason: In the interest of the visual amenity of the locality.

**(04) The manege shall be used for the private use of horses incidental to the enjoyment of the dwelling house known as Caerau only and shall not be used for livery or any commercial purpose.**

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

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

Reason: To define the scope of this permission.

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 1, PCYFF 2, PCYFF 3, PCYFF 4, AMG 1, AMG 5, TWR 5, PS 4, PS 5, PS 20.

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

Application Reference: FPL/2022/63

Applicant: Mrs Maria Watkinson

Description: Full application for the change of use of existing storage shed into a food and beverage sales kiosk for ice cream, waffles and soft drinks at

Site Address: Ocean's Edge, Lon Isallt, Treaddur Bay



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

Recommendation: Permit

Reason for Reporting to Committee

The application was called in to be determined by the Planning Committee at the request of Local Member Cllr. Dafydd Rhys Thomas.

Proposal and Site

The proposal is made for the erection of a retail kiosk which will serve ice cream, waffles and soft drinks.

The site is located in the coastal village of Treaddur Bay, but outside of its development boundary as defined under the Joint Local Development Plan and therefore in policy terms is considered as open

countryside. The kiosk will be located within the grounds of the established Ocean's Edge restaurant, sited in close proximity to the building and backing onto the lifeboat station.

### **Key Issues**

The key issues are if the proposal is acceptable in policy terms and if the proposal would be to the detriment of other nearby uses.

### **Policies**

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

Policy PCYFF 1: Development Boundaries

Policy PCYFF 2: Development Criteria

Policy PCYFF 3: Design and Place Shaping

Policy MAN 6: Retailing in the Countryside

Strategic Policy PS 1: Welsh Language and Culture

Strategic Policy PS 4: Sustainable Transport, Development and Accessibility

Strategic Policy PS 5: Sustainable Development

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

<b>Consultee</b>	<b>Response</b>
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Policy MAN 6 is relevant
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objection
Draenio Gwynedd / Gwynedd Drainage	No comments
Dwr Cymru Welsh Water	Condition
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	No response
Cynghorydd Dafydd Rhys Thomas	Called in
Cynghorydd John Arwel Roberts	No objection
Cynghorydd Trefor Lloyd Hughes	No response
Cyngor Cymuned Trearddur Community Council	No response

The proposal was afforded publicity by the posting of personal letters to occupiers of neighbouring properties. The latest date for comments to be made in response to the letter was the 12/04/2022. At the time of writing this report, 2 letters of objection had been received which raised concern that the development would be an oversupply of such facilities and would be to the detriment of other local businesses.

### **Relevant Planning History**

No relevant Planning history.

### **Main Planning Considerations**

#### **Principle of Development**

As highlighted in the joint planning policy unit response to the proposal, the scheme does not change the use of the site and the proposal will be an ancillary/subservient element to the existing business operations at Oceans Edge restaurant. Despite this, it is still considered that policy MAN 6 (Retailing in the Countryside) of the JLDP is relevant. MAN 6 supports retail proposals providing they conform to the following criteria:

1. The shop is a subservient element of an existing business on the site;
2. The shop will not significantly harm nearby village shops;
3. Priority has been given to using an appropriate existing building;
4. The new use will not significantly harm the amenities of neighbouring residents or the character of the area;
5. The development is accessible via sustainable means of transport;
6. Access and parking arrangements are satisfactory and the development will not significantly harm highway safety.

As previously mentioned, the kiosk will be a subservient element to the existing restaurant on site. The proposed kiosk will have a floor area of 13m<sup>2</sup> which is considered to be minor in scale. Due to the minor scale of the unit, it is not considered that the scale of the generated business would be of such an extent that would significantly harm nearby village shops and other businesses. No residential properties are located in the immediate vicinity of the site and the site will be accessible by local bus stops which are in close proximity to the site. The access arrangements will be as the existing arrangements for Oceans Edge. Due to the above, it is considered the proposal conforms with policy MAN 6 of the JLDP.

### **Welsh Language**

In accordance with the Planning (Wales) Act 2015 Local Planning Authorities have a duty when making a decision on a planning application to have regard to the Welsh language, where it is relevant to that application. This is further supported by paragraph 3.28 of Planning Policy Wales (Edition 11 2021) together with Technical Advice Note 20.

The 'Maintaining Distinctive and Sustainable Communities' Supplementary Planning Guidance (SPG) (adopted July 2019) provides further guidance on how Welsh language considerations are expected to be incorporated into all relevant developments.

It is noted that there are certain types of developments where the proposal will require a Welsh Language Statement or a Welsh Language Impact Assessment Report. Thresholds for when a Statement / Report is expected to be submitted are highlighted in Policy PS1 of the JLDP together with Diagram 5 of the SPG. This proposal does not meet these thresholds.

Guidance on the types of relevant applications where the Welsh language needs to be considered is given in Appendix 5 (Screening Procedure) of the SPG (CH). The guidance contained in Appendix 5 states that all retail, commercial or industrial developments which do not require the submission of a Welsh Language Statement / Assessment should show how consideration has been given to the language. At the time of writing the report, the department are still awaiting information to satisfy the above. Permission will not be released until such satisfactory information has been received.

### **Flood Risk**

The site lies in a C2 flood zone as set out in TAN 15 and therefore required the submission of a flood consequence assessment. The proposal is classed as less vulnerable development therefore the development is considered acceptable in the context of TAN 15 as the submitted flood consequence assessment demonstrated that the risks can be managed to an acceptable level. Natural Resources Wales had no objection to the scheme and considered the Flood Consequence Assessment to be appropriate and acceptable.

## Conclusion

The proposal conforms with the relevant policy of the JLDP and therefore will be recommended for approval.

## Recommendation

That the application is permitted subject to the following 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 / TQRQM21335124942801
- Proposed Kiosk / DWG No: 14

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

**(03) The retail kiosk hereby approved shall only be used ancillary to restaurant as shown in the red line provided on the location plan (Reference: TQRQM21335124942801).**

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

**(04) The retail kiosk shall be used for food and drink and for no other purpose (including any other purpose in class A3 of the schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification).**

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

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

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

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 1, PCYFF 2, PCYFF 3, MAN 6, PS 1, PS 4, PS 5.

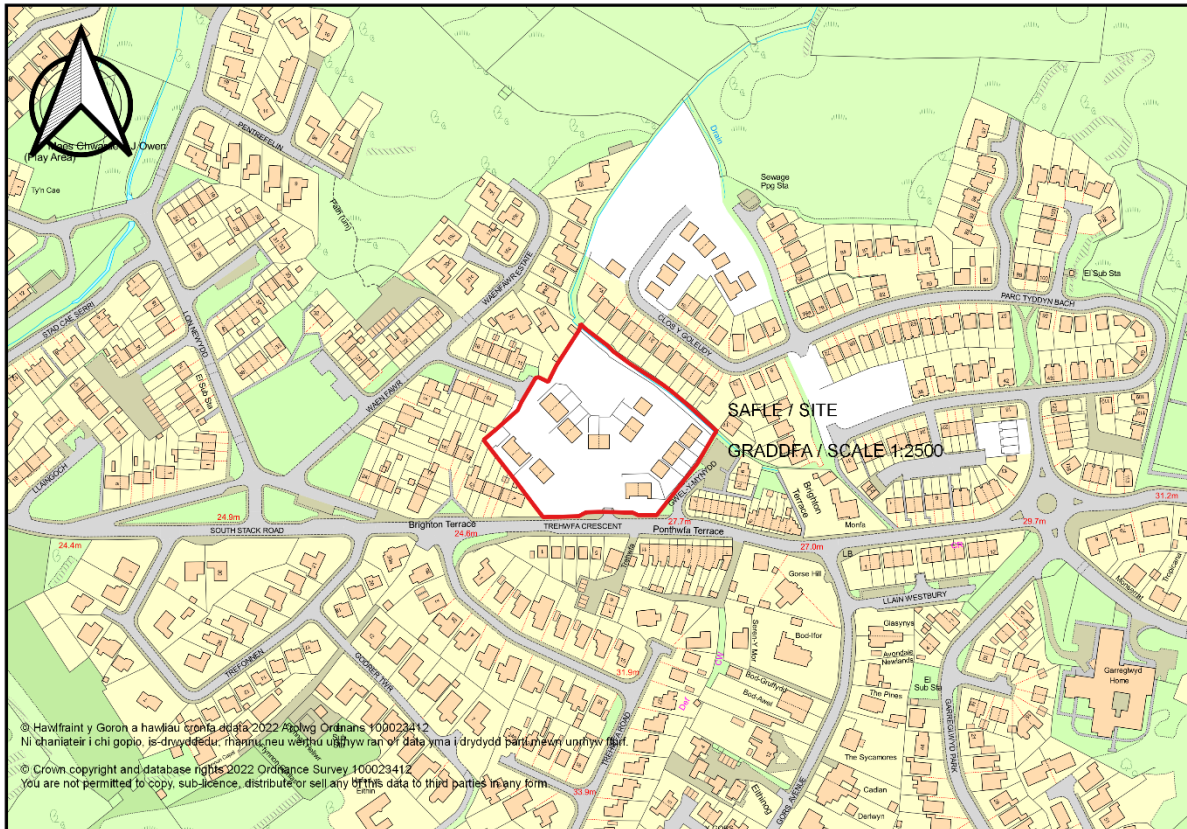
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: MAO/2022/11

Applicant: DU Construction

Description: Minor amendments to scheme previously approved under planning permission FPL/2019/341 so as to amend soft landscaping at

Site Address: Llaingoch Primary School, South Stack Road, Holyhead



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

The application is made on land which is owned by the county council.

**Proposal and Site**

The proposed is made to amend the previously approved soft landscaping scheme.

The site is located in the town of Holyhead and its associated development boundary. Consent exists on the site for 26 dwellings and this permission is currently being implemented.

## Key Issues

The key issues are if the proposed amendment is considered acceptable and if they are considered minor in nature.

## Policies

### Joint Local Development Plan

Policy PCYFF 1: Development Boundaries  
Policy PCYFF 2: Development Criteria  
Policy PCYFF 3: Design and Place Shaping  
Policy PCYFF 4: Design and Landscaping

### Response to Consultation and Publicity

Consultee	Response
Ymgynghorydd Tirwedd / Landscape Advisor	No objection

No publicity is required from a statutory point of view for an application for non material amendment.

### Relevant Planning History

MAO/2021/12 - Minor amendments to scheme previously approved under planning permission FPL/2019/341 (erection of 26 dwellings) so as to amend pedestrian access to provide ramped access at - Ysgol Gynradd Llaingoch, South Stack Road, Holyhead - Permit

VAR/2021/12 - Application under Section 73 for the variation of condition (02) of planning permission reference FPL/2019/341 (Erection of 26 dwellings) so as to allow extended Saturday working hours at - Ysgol Gynradd Llaingoch, South Stack Road, Holyhead - Withdrawn

VAR/2022/6 - Application under Section 73 for the variation of condition (02) (Approved Plans), (05)(Landscaping Scheme), (07) (Fenced area tree and hedges planting) of planning permission reference FPL/2019/341 (Full application for the erection of 26 dwellings (3 affordable), alterations to existing vehicular access together with associated works) so as to vary the landscaping scheme at - Ysgol Gynradd Llaingoch, South Stack Road, Holyhead - Not yet determined

FPL/2019/341 - Full application for the erection of 26 dwellings (3 affordable), alterations to existing vehicular access together with associated works at - Ysgol Gynradd Llaingoch, South Stack Road, Holyhead - [object Object] - Permit

### Main Planning Considerations

The Welsh Government have published "Planning Guidance: Approving Non-material amendments to an Existing Planning Permission" which is helpful in setting out the "starting point" in determining what may be deemed as being "non-material". It states:

"2.6 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 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 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?

2.7 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 amendments is non-material depending on the circumstances of each case.

The proposed amendments are as follows:-

- Amendments to soft landscaping details.

During the time of writing the report, it is apparent that works at the site are at an advance stage of development. It is therefore considered that the site benefits an implemented permission and consequently a fall back under planning permission reference FPL/2019/341. The principle of development has therefore been established.

The application seeks to vary the landscaping scheme. As such several amended plans are being proposed which will essentially supersede the drawings which were approved as part of permission FPL/2019/341.

#### **Proposed Landscaping Scheme:**

The proposed landscaping scheme entails much less boundary tree and hedge planting, but retention of all the planting previously proposed. The previously approved plan had very high numbers of tree planting. Other changes are more minor, affecting the amount of internal shrub planting. The changes are being proposed in order to implement a scheme which is less excessive in cost and maintenance.

The landscape specialist has been consulted upon the application and is of the view that existing screening / trees has been maintained and enhanced on one elevation. There is little removal on other elevations and therefore less replacement planting required. It is therefore considered that the proposed amendments are compliant with PCYFF 4 of the JLDP.

#### **Impact upon nearby Residential Amenity:**

The SPG Design Guide provides guidance on recommended distances between existing and proposed dwellings. The impact of the amenities of nearby dwellings was considered as part of the original consent. Nevertheless, as a result of the amended landscaping scheme, further detailed consideration is required.

A mixture of trees were proposed on the original consent along the north eastern boundary. As part of the current application these are not being proposed. Plots 17 and 18 are the proposed units closest to this boundary. It is considered that the proposed units are compliant with the SPG Design Guide and as such the proposed landscaping scheme will not result in a negative impact upon the amenities of these dwellinghouses or any other nearby neighbouring properties.

Other minor changes are being proposed along the remaining boundaries. Due to the distance between dwellinghouses together with proposed mitigation measures such as boundary fences, it is not considered these changes will result in any of the proposed properties having a detrimental impact upon existing dwellinghouses as a result of these changes.

#### **Conclusion**

The proposed changes are non material in nature and are considered acceptable by the department and the relevant specialist consultee.

## **Recommendation**

### **Permit**

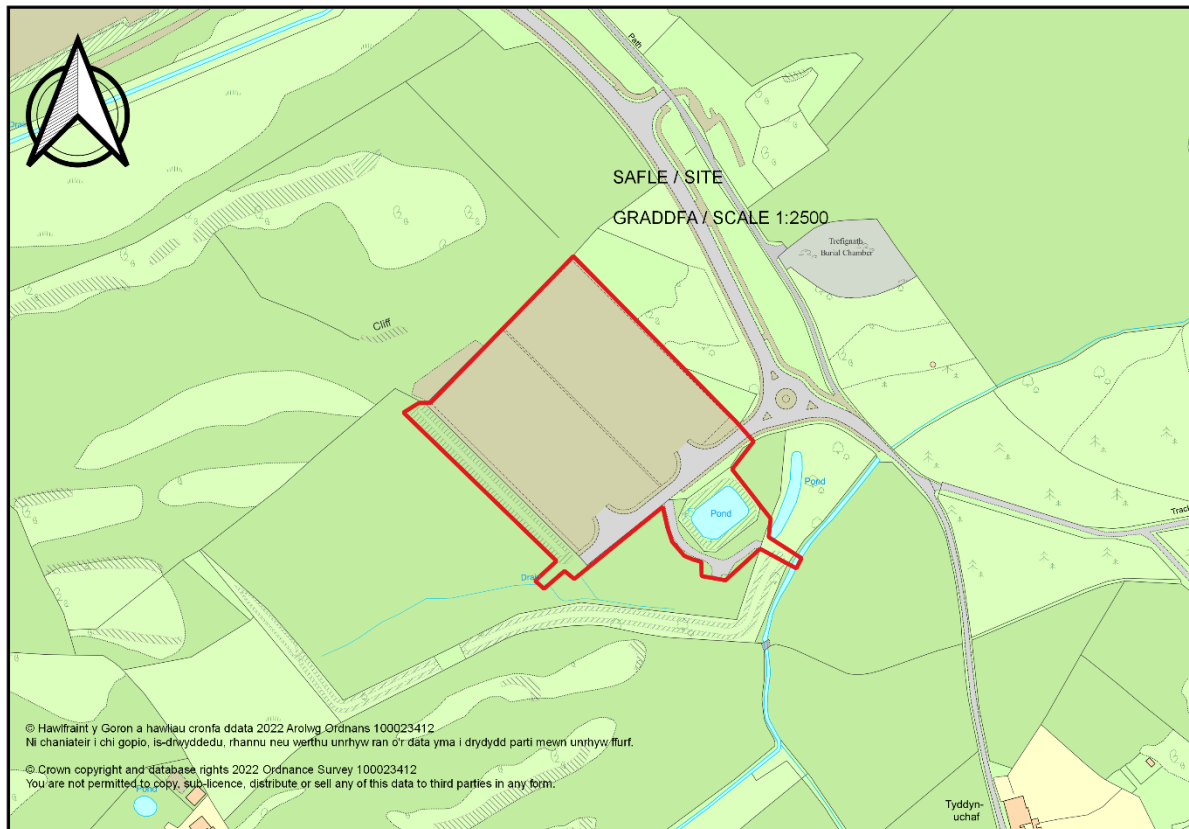
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

**Application Reference:** FPL/2022/65

**Applicant:** Welsh Government

**Description:** Full application for the retention of HGV parking area and associated works for a temporary period of 12 months at

**Site Address:** Plot 9 (Eastern Half), Parc Cybi, Caergybi



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

The proposed development forms part of the Brexit arrangement to ensure that HGV's can be safely stacked which addresses local concerns linked to the lack of parking facilities available within the area for following the closure of Road King. The application is therefore reported to Committee as it addressed wider issues and concerns that Officers believe should be considered by the Members of the Planning & Orders Committee.

## **Proposal and Site**

The proposal is for the retention of the HGV parking area and associated works for a 12 month period from the date of any permission being awarded. The proposal seeks a 12 month temporary permission to allow a reasonable time to establish a permanent solution for the Welsh Government's proposed Border Control Post for the whole of Plot 9.

Plot 9 has been selected primarily due to site's strategic location and ease of access to existing nearby infrastructure. The facility would act as a location to safely stack HGV's which would allow local people and businesses to continue their daily lives with as little inconvenience as possible. It would also allow lorry drivers a safe and secure place with access to welfare facilities to prepare their documents and become port ready. Most HGV vehicles using the facility would do so for a short period of time but occasionally for over 24 hours where documents are not in order.

Since 2021 the facility has operated with spaces for 133 HGV parking bays 24 hours a day 7 days a week. Staff welfare facilities, which include toilets and a small office / canteen are provided in a temporary 'portakabin' type units.

The car parking area was constructed by removing topsoil and setting it aside in storage bunds for eventual re-use. Stone fill was imported and laid to create a stable platform on which macadam surfacing was laid. White lining has been provided for designated parking bays and safe pedestrian access routes. The site is served by a single access point from the existing roundabout spur.

The application site is located within the eastern section of the serviced industrial estate at Parc Cybi amounting to around 2.29 ha in area, approximately 1.5 km south of Holyhead town centre. The application site is bordered by vacant plots within Parc Cybi with the Premier Inn and the Welsh Inland Border Facility (IBF) site within close proximity. Open agricultural land lies to the west and south of the site.

The A55 is located to the north and junction 2 from the from the expressway is some 500 metres away providing a direct access via the A5153 which links to the Parc Cybi spine road thereafter to the application site. There are footpath and cycle ways located in the vicinity leading towards Holyhead town centre and bus routes.

The application site and indeed the Parc Cybi Industrial Estate is located within the Area of Outstanding Natural Beauty (AONB). Scheduled Ancient Monuments are located to the east of the opposite side of the road. There is also a Listed windmill located to the north west in Kingsland. The nearest residential properties are located to the south east and south west which forms part of the Penrhyn Geiriol Estate.

## **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 the AONB, highway safety, highway network, nearby designates Scheduled Ancient Monuments, Listed Building and neighbouring residential properties.

## **Policies**

### **Joint Local Development Plan**

Joint Local Development Plan:

Strategic Policy PS 1: Welsh language and culture

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  
 Policy PCYFF 1: Development Boundaries  
 Policy PCYFF 2: Development Criteria  
 Policy PCYFF 3 Design and Place Shaping  
 Policy PCYFF 4: Design and Landscaping  
 Strategic policy PS 13: Providing Opportunity for a Flourishing Economy  
 Policy CYF1: Safeguarding, allocating and reserving land and units for employment use  
 Strategic Policy PS 19: Conserving and where appropriate enhancing the natural environment  
 Policy AMG 1: Area of Outstanding Natural Beauty Management Plans  
 Policy AMG 5: Local Biodiversity Conservation  
 Strategic Policy PS 20: Preserving and where appropriate enhancing heritage assets  
 Policy AT 4: Protection of non-designated archaeological sites and their setting

National Policy:

Future Wales: the national plan 2040 (2021)  
 Building Better Places; The Planning System Delivering Resilient and Brighter Futures  
 Planning Policy Wales (2021), Edition 11  
 Technical Advice Note 5: Nature Conservation and Planning  
 Technical Advice Note 11: Noise (1997)  
 Technical Advice Note 12: Design (2016)  
 Technical Advice Note 18: Transport (2007)  
 Technical Advice Note 20: Welsh Language  
 Technical Advice Note 23: Economic Development (2014)  
 Technical Advice Note 24: The Historic Environment (2017)

**Response to Consultation and Publicity**

<b>Consultee</b>	<b>Response</b>
Gritten Ecology	No Objection
Rheolwr Polisi a Strategaeth / Policy & Strategy Manager	The information submitted by the applicant demonstrates how consideration has been given to the Welsh language when formulating the proposal.
Cynghorydd Dafydd Rhys Thomas	No Response
Cynghorydd John Arwel Roberts	No Objection
Cynghorydd Trefor Lloyd Hughes	No Response
Cyngor Tref Caergybi / Holyhead Town Council	No Response
Cyfoeth Naturiol Cymru / Natural Resources Wales	No Objection - Proposed development will not have a detrimental impact upon any nearby designated sites or protected species. Pollution is not considered a matter for concern due to the measures being implemented.
Uned Datblygu Economaidd / Economic Development Unit	Supportive of the proposed development since it has the potential to generate a number of employment opportunities on the Parc Cybi Business Park.
Draenio Gwynedd / Gwynedd Drainage	No Comments

Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Comments are contained within the main core of the report
Dwr Cymru/Welsh Water	Condition proposed to ensure drainage is adequately dealt with
Swyddog Llwybrau Troed / Footpaths Officer	No Objection
Iechyd yr Amgylchedd / Environmental Health	Following the submission of a noise assessment and lighting design review, the section are satisfied subject to conditions.
Swyddog Cefn Gwlad a AHNE / Countryside and AONB Officer	No Response
Cadw Scheduled Monuments	Proposed development will not have a significant impact on the settings of either of the nearby scheduled monuments.
Llywodraeth Cymru (Priffyrdd/Highways)	No Objection
The Royal Commission on the Ancient and Historical Monuments of Wales	No Response
Ymgynghorydd Tirwedd / Landscape Advisor	The proposal does not comply with materials, landscaping and design constitutions within AMG 1 and PCYFF 4. however the landscape advisor is of the opinion that significant effects on natural beauty and AONB special qualities are unlikely.
Dani Robertson	No Response
Diogelu – Y Weinyddiaeth Amddiffyn / MOD Safeguarding	No Response
Ymgynghorydd Treftadaeth / Heritage Advisor	No Objection
Priffyrdd a Trafnidiaeth / Highways and Transportation	Conditions proposed relating to the decommissioning stage
Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service	No significant archaeological implications for the proposed development.

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties together with site notices. An advert was also placed within the local newspaper. The latest date for the receipt of any representation was the 06/04/2022. At the time of writing this report, two letters of representation had been received. The comments are summarised below:

- Concerns that lighting is impacting nearby residential properties
- Concerns that the noise being emitted from the site is having a detrimental impact upon amenities of neighbouring properties.
- Concerns regarding the visual appearance of the development
- No adequate security at the site
- Concerns that the development will become permanent.

### Relevant Planning History

19C842A/EIA – Outline application for the mixed used development comprising of employment (B1, B2, B8) to include offices, industrial use and hotel together with the construction of a new vehicular access at land at Ty Mawr, Holyhead – Approved 07/03/2005

SCR/2021/84 - Screening Opinion for engineering, drainage and site layout arrangement for the parking of HGVs, together with related staff welfare cabins on land at Plot 9, Holyhead – EIA Not Required – 03/12/2021

PAN/2021/19 - Notification in respect of phase 2 of works at Plot 9 , Holyhead – Permitted Development

## **Main Planning Considerations**

Principle of Development and Planning Policy:

The proposed development is located in Parc Cybi, which is categorised as a 'primary' employment site and safeguarded for employment use under policy CYF 1: Safeguarding, Allocating and Reserving Land and Units for Employment Use.

The temporary HGV parking area is categorised as sui generis or unique use under the use classes order.

In accordance with Policy CYF 1 of the JLDP land and units at Penrhos Industrial Estate are safeguarded for employment / business enterprises associated with B2 and B8 uses. However, point 1 of Strategic Policy PS 13 states that the Councils will facilitate economic growth in accordance with the spatial strategy of the Plan.

The application site is of regional importance with a critical role in achieving regional contribution to national economic development objectives and supporting key sector development. It is therefore considered that the principle of the development accords with Strategic Policy 13 and policy CYF 1 of the JLDP and the main thrust of National Policy.

## **Sustainability:**

The application site is located on an industrial estate and comprises previously developed land. On the grounds of sustainability, Planning Policy Wales (PPW) promotes the re-use of such sites in existing settlements where there is vacant or under-used land for suitable uses.

Policy PS 5 (Sustainable Development) supports development which is consistent with sustainable development principle, where appropriate, development should "Reduce the need to travel by private transport and encourage opportunities for all user travel when required as often as possible by means of alternative modes, placing particular emphasis on walking, cycling and using public transport in accordance with Strategic policy PS 4;" (Bullet point 12, Policy PS 5)"

It is considered that the policies contained within the JLDP are consistent with national planning policy in terms of its approach to sustainable development principles. Paragraph 3.39 of PPW (Edition 11, 2021) states;

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

This is further supported by paragraph 3.11 of Technical Advice Note 18: Transport, which states "Development in rural locations should embody sustainability principles, balancing the need to support the rural economy, whilst maintaining and enhancing the environmental, social and cultural quality of rural areas. Most development should be located in places accessible by a range of travel modes."

The application site is located within the development boundary of Holyhead in which ample public facilities are located nearby. The site is serviced by pedestrian footways and cycle routes which links to other nearby public service such as the train station and port. Bus stops are located within the immediate

vicinity which links to key designations across North Wales. It can therefore be concluded that the proposed development would be in accordance with PPW, TAN 18 and the JLDP, in terms of being in a sustainable location.

### **The Welsh Language:**

In accordance with the Planning (Wales) Act 2015 Local Planning Authorities have a duty when making a decision on a planning application to have regard to the Welsh language, where it is relevant to that application. This is further supported by para 3.28 of Planning Policy Wales (Edition 11, 2021) together with Technical Advice Note 20.

The 'Maintaining Distinctive and Sustainable Communities' Supplementary Planning Guidance (SPG) (adopted July 2019) provides further guidance on how Welsh language considerations are expected to be incorporated into all relevant developments.

It is noted that there are certain types of developments where the proposal will require a Welsh Language Statement or a Welsh Language Impact Assessment Report. Thresholds for when a Statement / Report is expected to be submitted are highlighted in Policy PS1 of the JLDP together with Diagram 5 of the SPG. This proposal does not meet these thresholds.

Guidance on the types of relevant applications where the Welsh language needs to be considered is given in Appendix 5 (Screening Procedure) of the SPG (part D to F). The guidance contained in Appendix 5 states that all retail, commercial or industrial developments which do not require the submission of a Welsh Language Statement / Assessment should show how consideration has been given to the language.

The information submitted by the applicant demonstrates how consideration has been given to the Welsh language when formulating the proposal. These include two temporary bilingual directional / operational signs will direct all staff and HGV deliver near the entry / exit points at Plot 9 until the use of the site ceases.

### **Economic Benefits:**

Future Wales - The National Plan 2040 was adopted in April 2021 and sets out a framework for planning the change and development needed in Wales over the next 20 years. It acts as a national development framework, setting the development direction of key national priorities through the planning system, including sustaining and developing a vibrant economy, achieving decarbonisation and climate-resilience, developing strong ecosystems and improving the health and well-being of communities. The Plan is focused on solutions to issues and challenges at a National scale.

Chapter 4 'Strategic and Spatial Choices: Future Wales' Spatial Strategy' Policy 1 'Where Wales will Grow' identifies Anglesey as an area of national and international connectivity with Holyhead as a Regional Growth Area. Policy 2 'Shaping Urban Growth and Regeneration – Strategic Placemaking' requires growth and regenerations in towns and cities to contribute towards building 'sustainable places that support active and healthy lives, with urban neighbourhoods that are compact and walkable, organised around mixed-use centres and public transport, and integrated with green infrastructure'.

Policy 10 'International Connectivity' recognises Holyhead Port as a strategic gateway to be maintained and developed in ways which do not compromise its ability to function. The Plan recognises the importance of Holyhead Port to Anglesey and the region. It is the most direct strategic link between Wales and Ireland and therefore a major national asset and an important international gateway for freight and passengers.

Chapter 5 'The Regions' identifies four regions within Wales with Holyhead and the application site falling within the North. Policy 21 'Regional Growth Area – North Wales Coastal Settlements' supports sustainable growth and regeneration in the regionally important towns along the northern coast, including



Holyhead. The policy requires that these areas are a 'key focus for housing, employment, tourism, public transport and key services within their wider area'.

Technical Advice Note 23 'Economic Development' (published in February 2014) acknowledges at paragraphs 1.1.1 and 1.2.5 respectively that 'It is important that the planning system recognises the economic aspects of all development and that planning decisions are made in a sustainable way which balance social, environmental and economic considerations.' 'Local planning authorities should recognise market signals and have regard to the need to guide economic development to the most appropriate locations, rather than prevent or discourage such development.'

The TAN also acknowledges at paragraph 1.3.1 that: 'Market forces do not respect Local Authority boundaries and the planning system should steer development to the most efficient and sustainable locations. This means that strategic planning, larger than individual Local Planning Authorities, for economic development is essential.'

Since the site will be open on a 24 hours basis a minimum of two staff will be required at any one time which will support around 10 full time jobs. During the construction for the Border Control Post (which is envisioned towards the second half of 2022) the HGV use will cease, however the staff would be transferred to other projects.

The Economic Development function of the Authority have assessed the application and are supportive of the proposed development since it has the potential to generate a number of employment opportunities on the Parc Cybi Business Park.

It is considered that the proposal forms part of a nationally important development. The proposal does not only create direct jobs but has a vital role in being directly linked to the port which significantly contributes towards economic development recognised within National Planning policy.

### **Landscape and Visual Impacts:**

The site is located within the Anglesey Area of Outstanding Natural Beauty (AONB). Development management decisions affecting AONBs should favour conservation of natural beauty, although it is also appropriate to have regard to the economic and social well-being of the areas (PPW, para 6.37). Development directly affecting the AONB should give great weight to conserving and enhancing the natural beauty, wildlife and cultural heritage assets of these areas. In accordance with guidance given in para 6.3.9 of PPW the statutory designation does not necessarily prohibit development, but proposals for development must be carefully assessed for their effect on those natural heritage interests which the designation is intended to protect.

Within AONBs, special considerations apply for major development proposals which are more national than local in character. Major developments should only take place in AONBs in exceptional circumstances. This may arise where after careful consideration there is demonstrated to be an overriding public need and refusal would be severely detrimental to the local economy (para 6.3.10 PPW). It is however important to acknowledge that the site is located on an established business park.

Strategic Policy PS19 (Conserving and where appropriate enhancing the natural environment) states that measures should be taken to manage development so as to conserve and where appropriate enhance the Plan area's distinctive natural environment, countryside and coastline. Proposals which would have a significant adverse effect on them will be refused unless the need and benefit of the development in that location clearly outweighs the value of the site or area. Furthermore policy AMG1 (Area of Outstanding Natural Beauty Management Plans) states that proposals within or affecting the setting and/or significant views into and out of the AONBs must where appropriate have regard to the relevant AONB Management Plan.

The application is supported by a Landscape and Visual Appraisal (LVA) first issued (Jan 2021) prior to the temporary site's construction.

As noted in the LVA, the extant consent for Parc Cybi provides for landscape change at the site and the proposed HGV parking area development (time extension for an additional 12 months) is considered against the fall back of that which was approved under (19C842A/EIA).

The development effects are noted in Action 7 of the LVA. The development is in character with other development within Parc Cybi – large surfaced areas off parking. It represents a significant change to the predevelopment land use and that adjacent.

It would not affect to a greater degree than that already consented, natural beauty or AONB special qualities.

Although the present HGV use, occupies a lesser area than that consented under 19C842A/EIA, significant localised effects on visual amenity to properties that overlook the site are predicted. The submitted Planning Statement notes that adverse visual effects to residential receptors are judged not to be significant. This Planning Statement is a more recent document and it recommended that effects are assessed on site by the determining officer.

As noted within the Planning Statement, landscaping is part of ongoing design consideration for a permanent facility in order to reduce some of the adverse effects predicted. At present it is not part of the proposal or could be implemented with any effect during the period proposed. Similar design considerations as part of AMG 1 are not attainable in the short-term.

For reasons of duration and purpose, the proposal does not comply with materials, landscaping and design constitutions within AMG 1 and PCYFF 4; however the landscape advisor together with NRW are of the opinion that significant effects on natural beauty and AONB special qualities are unlikely.

### **Biodiversity and Ecology:**

There are three designated statutory nature conservation sites within 2km of the site; North Anglesey Marine Special Area of Conservation (SAC) located 1.7km to the north and south of the site, Beddmanarch - Cymyran Site of Special Scientific Interest (SSSI) located approximately 1.4km east of the site and Tre Wilmot Site of Special Scientific Interest located over 2km to the west of the site.

A Screening Opinion was submitted for the proposed development which concluded that no effects are likely due to the distance away from these sites, and that there is a lack of relevant supporting habitat at the proposed site.

The development (as constructed) was surveyed prior to construction taking place. The parking facility occupies the eastern two thirds of the site whilst the western third remains undeveloped.

A phase 1 habitat survey was undertaken in October and November 2020 to identify ecological character and potential constraints to determine suitable mitigation and to identify the need for any further surveys.

The site surveys concluded non Invasive Non Native Species (INNS) presence and some of ten natural rock exposure within the site are considered 'Section 7 Habitat' as identified under the Environment (Wales) Act 2016. The on-site marshy grassland / rush pasture included limited values. Much of the remainder of the site is poor semi improved grassland of a shot sward and gorse scrub and plantation woodland with scrub, with an attenuation pond to the east.

Although a potential was identified, no evidence of protected or notable species or bat roosting habitat were recorded at the site.

Following the recommendation in the phase 1 survey report a further specialist survey for great crested newts was undertaken. The survey was to provide evidence of the potential for great crested newts within

the study area to inform the wider ecological assessment for the new HGV development to take place and significantly, as an integral part of a permanent development for the whole Plot 9 as a Border Control Post.

The results identified that while a potential for the waterbodies to support great crested newts in terms of habitat suitability ranged from excellent to below average, none were recorded in any of the pods surveyed on site. Other amphibian species recorded during the survey included the palmate newt, frog and toad and suitable mitigation measures should retain and /or create habitat which supports the current amphibian populations.

The accompanying submitted documentation as sets out the environmental description and impacts on the locality of nearby designated sites and include the potential for mitigation measures.

To conclude the Phase 1 survey identified several mitigation and enhancement measures which include retaining existing landscape features, incorporating pollution control measures before discharging into local watercourses, avoiding removing or disturbing scrub, a walkover by an ecologist and providing an escape route for animals during the construction phase.

The Authority's Ecologist has assessed the application and has not raised any objection to the application. In addition, NRW are of the opinion that significant effects on statutory nature designations are unlikely. It is therefore considered that the proposed development satisfied Policies AMG 3 and 5 of the JLDP together with TAN 5.

#### **Archaeology and Heritage Assets:**

Within close proximity to the site lies the Trefignath Burial Chamber (Reference number AN011) and Ty Mawr Standing Stone Schedule Monument (Reference number AN012). In accordance with Strategic Policy PS20 (Preserving and where appropriate enhancing heritage assets) careful consideration should be given to the impact which the proposal could have upon the setting and significant views into and out of the scheduled ancient monument and other areas of archaeological importance.

The approved masterplan for the development at Parc Cybi preserved the identified significant view between the nearby Scheduled Monuments of the Trefignath Burial Chamber and the Ty Mawr standing stone and the development does not interfere with this protected zone. In views from scheduled monument AN011, the parked lorries and the welfare huts are partly screened by existing vegetation and also the intervening landform whilst in views from scheduled monuments AN012 the intervening topography blocks or significantly screen parked lorries and the welfare huts. As such whilst the development has caused slight visual changes in the views from the monuments, Cadw is not of the opinion that the development will have a substantial effect on the way that they are experienced, understood and appreciated.

Consequently, Cadw is of the view that the proposed development will not have a significant impact on the settings of either scheduled monuments and therefore has no objection to the application.

Gwynedd Archaeological Trust have also assessed the application and confirm that there are no significant archaeological implications for the proposed development.

#### **Amenity and Disturbance:**

Due regard should be given to the proposed adverse impact which the proposal could have on the health, safety or amenity of occupiers of local residences, other land and property uses of characteristics of the locality due to an increased activity, disturbance, vibration, noise, dust, fumes, litter, drainage, light pollution or other forms of pollution or nuisance in accordance with Policy PCYFF 2 (Development criteria) of the JLDP.

The nearest residential property to the site is located approximately 200 meters to the south east of the site. Other nearby residential properties are located approximately 245 metres to the south west including the Penrhyn Geiriol estate. A Premier Inn is also located to the north east of the site.

Given the distances between the site and nearest properties combined with intervening land uses, it is considered there would be no significant loss of privacy or light as a result of the proposal.

Although the construction phase of the development has already been carried out, careful consideration will still have to be given to the impacts, in particular noise and lighting emitting from the site.

### **Lighting -**

The proposal entails to use the site for 24 hours a day and therefore providing appropriate and sympathetic external lighting is an important factor.

As part of the application a Lighting Design Statement has been submitted. The lighting design considers specific lighting British Standards and industry guidance in conjunction with recommendations provided by the Environmental Consultant.

Lighting sufficient for the safe operation of the site is provided using mobile temporary lighting towers oriented for minimum light spill outside the parking area. The position and alignment of the existing lighting masts and lanterns minimise the effect on adjacent properties. Additionally, these have been further refined to minimise the effect on the adjacent properties. The mobile lighting is used only as needed, according to the number of vehicle on site.

The Public Protection Section of the Authority have been consulted regarding the application and are satisfied that the proposed lighting scheme will not cause an unacceptable impact upon the amenity of nearby residential properties.

It is also considered that the proposed scheme would not result in light spill or light pollution which would have an adverse impact on the immediate and wider locality / local environment or the amenity of nearby residential properties. Conditions would be applied to any permission to ensure that lighting is satisfactory controlled.

### **Noise -**

It is expected that most vehicles using the facility would do so for short periods at a time but occasionally for over 24 hours where documents are not in order. Mitigation measures have been considered by the applicant and submitted as part of the application. These include that the site operation will not permit any loading and unloading of goods, refuelling of vehicles or the stationing of vehicles carrying live animals or dangerous goods. Refrigerated vehicles with generator-powered refrigeration units would be located at the north west corner of the site to minimise noise impacts on residential properties.

Due to noise complaints received by both the developer and Local Authority, the applicant has undertaken a Low Frequency Noise Investigation as part of the application. The investigation has been undertaken to establish the following:

- Determining whether the low frequency noise (LFN) issue experienced at the complainant's property is due to noise from the site.
- Establish whether noise from other sources not related to the site are causing LFN at the complainant's property.
- Investigate whether the meteorological conditions play a significant factor in LFN from the site.

It is established that several noise sources arise from the site including generators, movements of lorries, idling non refrigerated lorries for the purposes of warming the cab and transport refrigerator units (TRU).

A LFN investigation was achieved by doing two noise surveys. The long-term survey measured noise continuously for 8 days in the garden of the complainant's property and the other on the site boundary. A short-term survey was also undertaken measuring source noise of the TRUs on the refrigerated lorry. It was found that the dominant frequency of this noise source was 40Hz and this has been considered in the data analysis and comparisons between data measured at the site and the complainant's property.

The following conclusions have been drawn from the data analysis:

- A number of time periods showed a correlation between low frequency noise from the site and the complainant's property in the 40Hz 1/3 octave frequency band from TRUs on refrigerated lorries.
- There were times when the prevailing wind direction was south westerly and the 40Hz 1/3 octave frequency band was above 60dB at the complainant's property and there was no correlation to noise from the site. This suggests that there could potentially be another source of LFN in the area contributing to the ambient noise level at the complainant's property.
- Meteorological conditions do have influence on the LFN at the complainant's property when considering site noise however, even when upwind conditions prevail, LFN from TRUs on refrigerated lorries can still be the dominant noise source.

The conclusions from the Noise Report does show direct correlation at times between noise from the TRUs at the site and at the complainant's property. It was also noted that the recommendations and mitigation measures as set out in the Noise Plan were already being implemented when the noise assessment undertaken and TRU noise was still measurable at the complainants property. As such, although the current Noise Management Plan is likely to reduce noise disturbance at the complainant's property, it is difficult to conclude whether this has effectively reduced noise at the property from the site. This would need to be answered by the resident experiencing noise disturbance.

Public Protection section of the Authority have been consulted upon the application and are of the view that the mitigation measure in place appear to be effective which helps to reduce the noise emitting from the site. In the even that further complaints are received, Public Protection will investigate the matter further, and if necessary introduce further mitigation measures.

For information, the separate BCP permanent proposal for a building and associated parking activities for the whole of Plot 9 has also considered detailed noise matters which includes proximity to nearby residential dwellings. Mitigation measures for a permanent use of the site has included permanent building design and layout features to reduce noise emitted from the site. These measures would be expected to form a key part of the BCP permanent development for the whole of plot 9.

### **Highway:**

Access to the site for all HGV vehicles would be to the south east of the site form the existing estate road. As previously noted, the site will have a total of 133 HGV parking bays.

A Transport Statement (TS) has been undertaken and submitted to as part of the application. The scope of the TS was agreed with the Isle of Anglesey County Council Highways Department which included details of the current flow of traffic data, predicted flow of traffic data and potential impact on the local area.

The TS concludes that the HGV parking would not generate a significant number of vehicles trips during peak hours and would not result in an increase in HGV movement on the highway network overall. The vehicular trips and are in effect existing trips diverting from the Port of Holyhead or the Roadking / IBF site.

In terms of transportation and highway matters, local and National planning policy in general supports such proposals. In particular policy TRA 1 of the JLDP supports a need to transfer between transport modes by stating 'strategically located facilities within or adjacent to Centres for overnight lorry parking and freight transfer'. The Local Highways Authority together with Welsh Government have assessed the application and raised no objection.

### **Cumulative Highway Impacts:**

The cumulative impacts of the proposed development including the construction phase is an important issue to assess in light of other existing and future development, especially major projects.

As part of the application, consideration has been given to the potential highway cumulative impacts which includes the potential for a decommissioning stage of the development. It concludes within the submitted EIA Screening Report that the 'the main receptor of any potential cumulative effects is the local road network and the A55 in particular' but the extent of this impact is not identified as significant, at the time.

The RML November 2021 EIA screening report lists a total of 11 projects for a potential for cumulative impact effects and this includes a decommissioning stage of this current proposal. This has recently been re-assessed in line with updated developments. The sites includes the HRMC Inland Border Facility, Border Control Post and Morlais.

Based upon the assessment which include different scale, works and timelines for commencement and completions it is concluded that the likelihood of the potential for any significant cumulative, including cumulative highway impacts is minimal.

The Local Highways Authority have requested that a Transport Management Plan is conditioned to ensure that the decommissioning and restoration phase is carried out satisfactorily and does not have a detrimental impact upon the highway network.

As such, subject to conditions the proposal is considered to be in generally conformity with JLDP Strategic Policies PS4 and PS5, Policies TRA2 and TRA4, Policy 2 of the National Plan, the general policies and advice relating to transport and movement set out within Chapters 2, 3 and 5 of PPW and the guidance contained in TAN 18 and TAN 23.

### **Flood Risk and Drainage:**

Surface water would be provided via a piped and stone-filled trench, flow attenuation pond and hydrocarbon interceptor leading to the existing watercourse to the south east of the HGV parking area. Detailed drawings have been submitted as part of the application. The proposal does not require foul drainage since only temporary portacabin toilets and sealed tanks are being proposed.

Welsh Water, NRW together with the drainage section have assessed the application and are satisfied with the proposed development. Due to the size and nature of the development it will be necessary to provide an application to the SAB for approval.

### **Conclusion**

The application site is of regional importance with a critical role in achieving regional contribution to national economic development objectives and supporting key sector development which accords with the policies contained within the JLDP together the main thrust of National Policy.

The development will provide lorry drivers a safe and secure place with access to welfare facilities to prepare their documents and become port ready. This will consequently allow local people and businesses to continue their daily lives with as little inconvenience as possible.

Although it is considered significant effect on natural beauty or AONB special qualities are unlikely, the materials, landscaping and design being proposed are not considered in line with local plan policies. However, given the temporary nature of the proposed development and its importance to the surrounding area, on balance it is considered that the proposed development is acceptable on a short term temporary basis.

The application has been assessed by key consultees who have are satisfied with the proposed development subject conditions. Mitigation measures being proposed will ensure that the development does not have a detrimental impact upon sensitive receptors including amenity of neighbouring properties and highway safety.

## **Recommendation**

That the application is approved subject to conditions and that the Committee delegate powers to the Head of Service to make any minor amendment to conditions as necessary.

**(01) No HGV parking and staff facilities shall continue to take place at the site after 1 June 2023 and the engineering works hereby approved shall thereafter be removed from the land.**

Reason: To define the scope of the permission which is a temporary permission only.

**(02) No later than 6 months from the expiry date of this permission, the following details shall be submitted and agreed in writing by the Local Planning Authority:**

- a) a commencement date for a decommissioning stage for the site**
- b) Full restoration measures for the site**

**The decommissioning stage and restoration measures shall be completed by 1st June 2024.**

Reason: in the interests of ensuring reasonable and proper control over final site condition, construction traffic and construction activities in the interests of the amenities of the locality, highway safety and to ensure relevant considerations towards new future, permanent development at the site

**(03) Prior notification of the commencement of a decommissioning stage and the completion of the restoration works as approved under planning condition (condition 02) shall be submitted in writing to the Local Planning Authority.**

Reason: in the interests of ensuring reasonable and proper control over final site condition, construction traffic and construction activities in the interests of the amenities of the locality, highway safety and to ensure relevant considerations towards new future, permanent development at the site.

**(04) Notwithstanding condition (02), no aspect of the decommissioning and/or restoration phase of the site shall be undertaken until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. 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 decommissioning of the development, having regard to the geometry, width, alignment and structural condition of the highway network along the access route to the site.**
- III. The timing and frequency of construction and delivery vehicles to be used in connection with the development, having regard to minimising the effect on sensitive parts of the highway network and construction routes to the site, including regard for sensitive receptors e.g., schools and network constraints.**
- IV. Measures to minimise and mitigate the risk to road users in particular non-motorised users.**
- V. The arrangements to be made for on-site parking for personnel working on the Site and for visitors.**
- VI. The arrangements for loading and unloading and the storage of plant and materials.**
- VII. Details of measures to be implemented to prevent mud and debris from contaminating the adjacent highway network and the decommissioning of the development shall be completed in accordance with the approved CTMP.**

Reason: To ensure reasonable and proper control is exercised over construction traffic and construction activities in the interests of highway safety and to ensure relevant considerations towards new future, permanent development at the site.

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

**Location Plan – 3196/01 Rev 01**

**General Arrangement – 400757-MMD-EP-09-DR-C-0003 Rev ASB**

**Highways Pavement – 400757-MMD-EP-09-DR-C-0900 Rev ASB**

**Kerbs and Footways – 400757-MMD-EP-09-DR-C-1101 Rev ASB**

**Flow Control Chamber – 400757-MMD-EP-09-DR-D-005 Rev ASB**

**Parking Arrangement Plan – 101237-MMD-EP-09-DR-C-0003 – Rev P1**

**General Arrangement – 400757-MMD-EP-09-DR-C-00-2 Rev ASB**

**Lighting Design Statement – SL1/202200504 – Parc Cybi**

**Low Frequency Noise Investigation - 100418703**

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

**(06) No surface water from the application site shall be allowed to drain directly or indirectly to the public sewerage system.**

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

**(07) Within 3 months from the date of this permission a Signage Scheme shall be submitted to and approved in writing by the Local Planning Authority. As a minimum the Signage Scheme shall provide for all internal and external signage in the development hereby approved to be bilingual in Welsh and English, with the Welsh language appearing before English in all cases. The development shall thereafter be carried out in accordance with the Signage Scheme approved under the provisions of this condition and the Signage Scheme shall be retained and maintained in for the lifetime of the development.**

Reason: To safeguard and maintain the Welsh language and Culture.

**(08) The operation of the development hereby approved shall be undertaken strictly in accord with the Mott Macdonald Lighting Design Statement – Reference SLW/20220504 – Parc Cybi. The lighting scheme shall be operated and maintained for the lifetime of the development hereby approved.**

Reason: In the interests of sustainability, residential amenity, the Area of Outstanding Natural Beauty, ecology, highway safety and the prevention 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/2021/266

Applicant: Mon Developers

Description: Full application for the erection of 8 affordable residential apartments, construction of new vehicular access, construction of new road on site together with soft and hard landscaping on land adjacent to

Site Address: Garreglwyd Road, Holyhead



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

Recommendation: Permit

Reason for Reporting to Committee

The application was called in to be determined by the Planning Committee at the request of Local Member Cllr. Trefor Lloyd Hughes amid local concern for highway safety, overdevelopment of the site and the developments appearance in the locality.

Proposal and Site

The site is located in the town of Holyhead and its associated development boundary. The site is located in a dense urban area, with Maes Cybi flanking the east of the site and other residential development on

South stack and Carreglwyd Road defining the west and northern boundary. The remaining boundary is bound by Carreglwyd road itself, which also provides a means of access to the site. Unmaintained vegetation covers most of the site at present with several rocky outcrops located throughout the site. The gradient of the site follows that of Carreglwyd Road, with higher ground in the east gently sloping to the west.

The proposal is made for the reducing of the level of the site together with the erection of an 8 unit block of flats together with the creation of an internal access road and associated parking area.

## Key Issues

The key issues of the proposal are as below:

- Principle of housing development
- Design of proposal
- Effect on neighbouring amenity
- Effect on local highway network.
- Effect on ecological matters.

## Policies

### Joint Local Development Plan

Policy PCYFF 1: Development Boundaries

Policy PCYFF 2: Development Criteria

Policy PCYFF 3: Design and Place Shaping

Policy PCYFF 4: Design and Landscaping

Strategic Policy PS 1: Welsh Language and Culture

Strategic Policy PS 16: Housing Provision

Policy AMG 5: Local Biodiversity Conservation

Policy TAI 1: Housing in Sub-Regional Centre & Urban Service Centres

Policy TAI 15: Affordable Housing Threshold & Distribution

Policy TAI 8: Appropriate Housing Mix

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

Supplementary Planning Guidance - Affordable Housing (2004)

Supplementary Planning Guidance - Planning Obligations (Section 106 Agreements) (2008)

Strategic Policy PS 4: Sustainable Transport, Development and Accessibility

Strategic Policy PS 5: Sustainable Development

## Response to Consultation and Publicity

Consultee	Response
Gritten Ecology	Mitigation and enhancement measures suggested in ecological survey need to be followed.
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objection provided ecological survey is included on list of approved plans
Prifffyrdd a Trafnidiaeth / Highways and Transportation	Construction traffic management plan condition
Strategol Tai / Housing Strategy	Satisfied with proposed housing mix.
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Capacity in windfall indicative provision for development

Ymgynghoriadau Cynllunio YGC	No objection
Dwr Cymru Welsh Water	No objection in principle
Gwasanaeth Addysg / Education Service	No contribution required
Iechyd yr Amgylchedd / Environmental Health	Advisory in regards to contaminated land and vibration from rock pecking.
Cyngor Tref Caerdybi / Holyhead Town Council	Object with concerns in regards to privacy.
Cynghorydd Trefor Lloyd Hughes	Called in
Cynghorydd Dafydd Rhys Thomas	No response
Cynghorydd John Arwel Roberts	No response

The proposal was afforded publicity by the posting of personal letters to the occupiers of neighbouring properties, with a latest date of 27/10/2021 for observations to be made in response. At the time of writing this report, 7 letters of objection had been received and their contents will be addressed later in this report.

### Relevant Planning History

FPL/2021/42 - Cais llawn ar gyfer codi 8 fflat preswyl fforddiadwy, adeiladu mynedfa newydd i gerbydau, adeiladu ffordd newydd ar y safle ynghyd â thirlunio caled a meddal ar dir ger / Full application for the erection of 8 affordable residential apartments, construction of new vehicular access, construction of new road on site together with soft and hard landscaping on land adjacent to - Ffordd Garreglwyd Road, Caerdybi/Holyhead - Tynnwyd yn ôl / Withdrawn

### Main Planning Considerations

#### Principle of Development

Under the adopted Anglesey and Gwynedd Joint Local Development Plan, Holyhead is defined as an Urban Service Centre and therefore any housing proposals will be considered against policy TAI 1 of the plan. Policy TAI 1 aims to deliver a strategic level of housing in urban service centres through allocated housing sites and suitable windfall sites subject to the indicative provisions set out in table (ii) of the policy. The site subject to this proposal is outside of any housing allocations and therefore is considered as a windfall site. Current figures provided by the policy department indicate that there is capacity within the Holyhead windfall indicative provision to accommodate the proposal and therefore it is considered that the scheme is in accordance with policy TAI 1.

Policy TAI 8 of the Joint Local Development Plan seeks to ensure that housing developments contribute to improving the balance of housing stock and meets the identified needs of the whole community. The application was accompanied by a housing mix statement which justified the units proposed and supplementary to this, it was confirmed by the local authority housing department that the proposed mix of flats was satisfactory and that there was a strong demand for socially rented flats in the Holyhead area. Due to the above, it is considered that the scheme is in accordance with policy TAI 8. The local authority housing mix supplementary planning guidance document is consistent with TAI 8 in aiming to *'provide a mixture of good quality and affordable housing units, of a range of types and tenures to meet the housing requirements of all sections of the population.'*

Policy TAI 15 of the Joint Local Development Plan seeks to secure an appropriate provision of affordable housing on housing developments of 2 or more units. Under the policy, it is noted that an affordable housing provision of 10% is viable in the Holyhead area. It has been noted as part of the application that the proposal is to be 100% affordable and therefore conforms with policy TAI 15. As the policy

requirement is 10% affordable, it is only this percentage that can be secured via a section 106 legal agreement. The remainder of the development will be affordable at the discretion of the developer.

PCYFF 1 of the adopted Anglesey and Gwynedd Joint Local Development states 'Proposals within Development Boundaries will be approved in accordance with the other policies and proposals of this Plan, national planning policies and other material planning considerations'. Due to the above considerations, it is considered that the proposal effectively accords with the provisions of policy PCYFF 1.

### **Design of Proposal**

The proposed building is spread over two storeys and will include a pitched anthracite standing seam roof. The walls of the building will be finished in facing brick or white render with rainwater goods and windows/doors in anthracite to match the roofing material. The above materials are locally prevalent and as such it is not considered that the design of the building would be incongruous with the general appearance of the area. It must also be considered that there are a range of materials and dwelling types locally and as such it is not considered that the area has a set pattern or type of development. The design of the building was an observation raised in the letters of objection along with concerns in regards to the proposal amounting to overdevelopment to the site due to its massing.

As detailed above, the department considers the proposal to be of an acceptable design which does not cause harm to the appearance of the local area. The building does not dominate the site in terms of its footprint and includes amenity area surrounding the building along with parking and refuse areas.

Subsequently, the local authority do not consider the development to amount to overdevelopment. Policy PCYFF 2 of the plan also states that proposals should make the most efficient use of land. As a vacant plot within the development boundary, it is considered that the use of the site for housing purposes is the most efficient use of land. Further to this, the use of windfall sites for housing is an important aspect of the Joint Local Development Plan's strategy for delivering strategic levels of housing as noted in policy PS 16 (Housing Provision).

### **Residential Amenity**

The application was previously withdrawn amid concern that the scheme would be an oppressive structure which would overlook and affect the outlook of the dwellings on Cybi Street, which define the eastern boundary of the site. This revised scheme has been amended by reducing the level of the site so as to ensure the finished floor levels of the proposal and the dwellings on Cybi Street are similar and thus will not overbear upon the neighbouring properties. A 1.8m boundary fence will also be provided on this boundary which together with the reconfiguration of the building to set back primary and secondary windows the required distance away from the neighbouring properties as set out in the supplementary planning guidance design guide, ensures that any overlooking is sufficiently mitigated against. The 1.8m boundary fence will also prevent the headlights of vehicles within the site from negatively affecting the amenities of neighbouring properties. Due to the above, it is considered that the scheme conforms with policy PCYFF 2 of the Joint Local Development Plan, which states planning permission will be refused where the proposed development would have an unacceptable adverse impact on residential amenity.

The supplementary planning guidance design guide sets out recommended distances between properties so as to avoid unacceptable impacts upon residential amenity. In this circumstance, the distances required is 12 metres from the ground floor main to side (blank wall) and 18 metres from ground floor main to secondary. 16 and 19.5 metres are provided respectively and therefore it is not considered that the proposal would overlook the properties on Cybi Street to an extent that would warrant refusal. In this dense urban setting it must also be considered that there is an existing baseline of overlooking.

Concern was also raised by the community council in regards to the effect of the proposal on the privacy of the bungalows in the locality of the site. The properties on the north and west boundaries of the site are

bungalows, however due to the orientation and distance of the building to these properties, it is not considered that any overlooking that would occur would do so to an unacceptable extent.

Impact upon residential amenity formed the basis of objections in response to the publicity afforded to the scheme, however due to the above it is not considered that there is grounds for refusal on this basis.

### **Effect on Local Highway Network**

Concern was raised by the local member and by local residents that the scheme would overload the local highway network. Having consulted the highways department of the local authority, they had no concern in regards to the scheme and only requested additional information regarding parking spaces, refuse collection and estate road management and maintenance. The required spaces in line with local authority parking standards is 10 spaces, however only 8 are provided. Despite the shortfall of 2 parking spaces, it is considered the proposal is acceptable as it is located in a highly sustainable location which is accessible by bus and rail with local amenities also within walking and cycling distance. Subsequently, occupiers of the development are not reliant on private transport and as such private transport is not considered a necessity in this location. A construction traffic management plan will also be conditioned so as to ensure the construction phase causes the least amount of disruption to the local highway network.

### **Ecology**

Concern was also raised as part of the objection that the accompanying ecological survey was incorrect and did not consider all relevant ecological issues on site. Having consulted the local authority ecological advisor, no objection was raised with the survey and only commented that the enhancement measures should be included on the proposed plans. The ecological survey will be included in the list of approved plans to ensure that biodiversity enhancement and mitigation is adhered to. Due to the above, the proposal is considered to adhere to policy AMG 5 of the joint local development plan and also fulfils the local authority's duty under the Environment (Wales) Act to attain net gain to biodiversity in the carrying out of its functions.

### **Other Matters**

Objections were also raised in relation to the capacity of the local sewerage network to accommodate the additional flows. Having consulted the local authority drainage department and Dwr Cymru as the statutory undertaker, no objection was received. It is therefore considered that this objection does not form grounds for refusal. As the application is for new dwellings, a SUDs application will be required which will give closer scrutiny to the drainage of the site.

As mentioned earlier in this report, the site will be reduced in level so as to allow the finished floor levels of the building to be similar to that of the dwellings on Cybi Street, which will require ground breaking and rock pecking. A condition will be imposed on the consent which requires details of the construction methods along with a condition which limits the hours of pecking. As set out in the Environmental Health response, an advisory will also be imposed on the consent which recommends the developer to undertake pre condition surveys of the nearest neighbouring dwellings. The surveys will protect the developer from future legal claims and also provide the residents a degree of comfort that any issues caused can be identified and addressed. With regard to paragraph 3.47 of the Welsh Government Circular WGC 016/2014, these surveys cannot be conditioned as its requirements extend outside of land owned by the applicant and therefore would have no reasonable prospect of being able to adhere to the requirements of the condition.

### **Conclusion**

Having considered all objections received as part of the statutory publicity alongside the relevant policies and supplementary planning guidance, no valid reasons for refusal have been encountered. The proposal will make the best and most efficient use of a suitable windfall site within the development boundary in order to contribute to delivering an identified local need for housing.

## **Recommendation**

That the application is permitted subject to the following 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.**

- **Site Location / A-03-01**
- **Proposed Site Layout / A-03-03**
- **Proposed Elevations / A-03-05**
- **Fence Detail / A-03-07**
- **Proposed Floor Plans / A-03-04**
- **Site Sections / A-03-06 Rev 01**
- **Garreglwyd Road, Holyhead Ecological Impact Assessment for Mon Developers February 2020 Updated June 2021 3129/11**

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

**(03) The commencement of the development shall not take place until there has been submitted to and approved in writing by the Local Planning Authority, a Construction Traffic Management Plan (CTMP). The CTMP shall include;**

**(i) The routing to and from the site of construction vehicles, plant and deliveries.**

**(ii) The type size and weight of construction and delivery vehicles to be used in connection with the construction of the development, having regard to the geometry, width, alignment and structural condition of the highway network along the access route to the site;**

**(iii) The timing and frequency of construction and delivery vehicles to be used in connection with the development, having regard to minimising the effect on sensitive parts of the highway network and construction routes to the site, including regard for sensitive receptors e.g. schools and network constraints;**

**(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.

**(04) No development shall commence, including any works of ground breaking or rock pecking, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:**

**i. the parking of vehicles of site operatives and visitors;**

**ii. loading and unloading of plant and materials;**

**iii. storage of plant and materials used in constructing the development;**

- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v. wheel washing facilities;
- vi. measures to control the emission of dust and dirt during ground breaking / rock pecking ;
- vii. a scheme for recycling/disposing of waste resulting from ground breaking / rock pecking works;
- delivery, demolition and construction working hours;
- viii. details of all machinery being used including measures to control noise, vibration and pollution control impacts and mitigation

**The approved Construction Method Statement shall be adhered to throughout the ground breaking / rock pecking and construction period for the development.**

Reason: To protect the amenity of nearby occupants

**(05) In the event of any contamination being found, a suitable Remediation Strategy should be prepared for the site. The Remediation Strategy shall be submitted and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the Remediation Strategy.**

Reason; To safeguard the amenities of future occupants.

**(06) Ground breaking / rock pecking or construction works shall not take place outside the hours of 08:00 to 18:00 Mondays to Fridays and 08:00 to 13:00 on Saturdays and at no time on Sundays or Public Holidays.**

Reason: To protect the amenities of nearby residential occupiers.

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 1, PCYFF 2, PCYFF 3, PCYFF 4, TAI 1, TAI 8, TAI 15, PS 16, PS 1, PS 4, PS 5, AMG 5, PS 19.

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

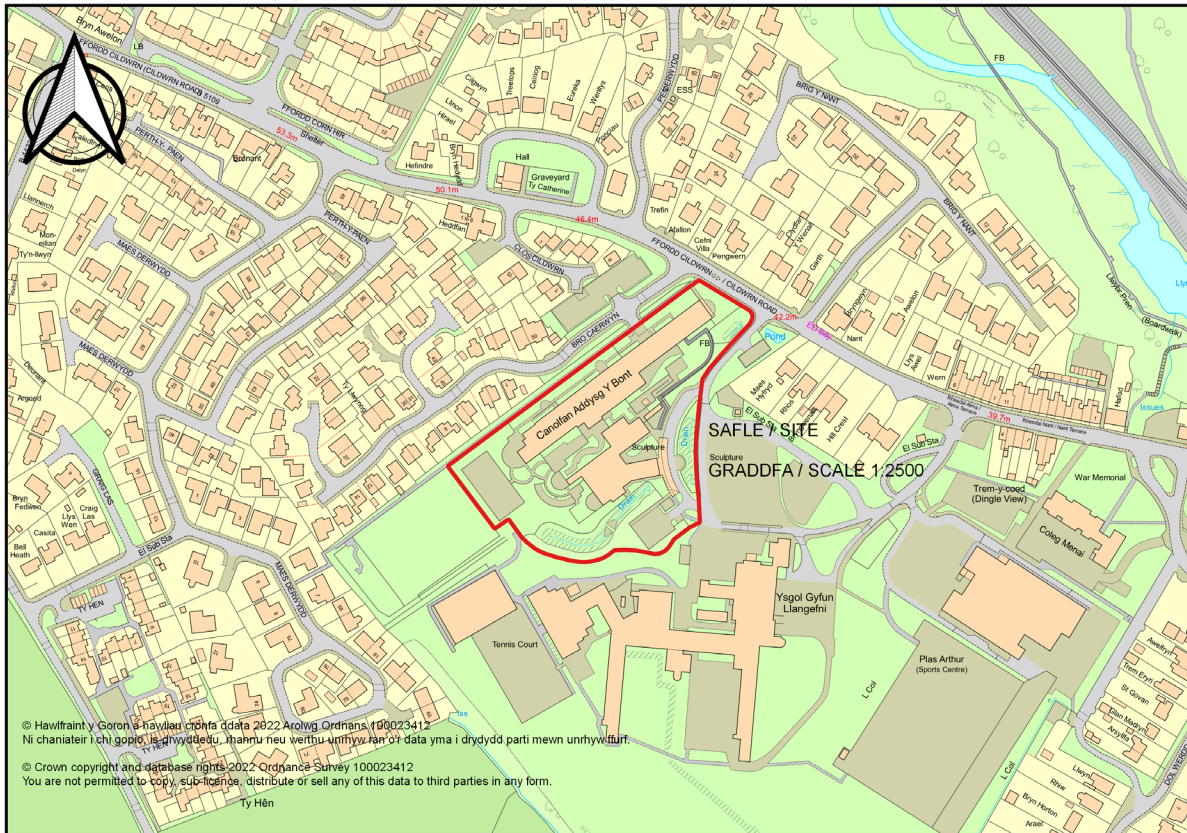


**Application Reference: VAR/2022/20**

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

**Description:** Application under Section 73 for the variation of condition (01) (Building removal and land restored to former condition before 01/04/2022) of planning permission reference FPL/2021/220 (Temporary prefabricated building) so that the building can remain on site until 31/01/2023.

**Site Address:** Canolfan Addysg Y Bont, Cildwrn Road, Llangefni



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

The application has been presented to the Planning and Orders Committee as the land is owned by the Council.

**Proposal and Site**

Application under Section 73 for the variation of condition (01) (Building removal and land restored to former condition before 01/04/2022) of planning permission reference FPL/2021/220 (Temporary prefabricated building) so that the building can remain on site until 31/01/2023.



The temporary building has two classrooms and toilets for use by pupils of Ysgol y Bont, Llangefni and is located in the car park to the South West of Ysgol y Bont, Llangefni.

### **Key Issues**

The Key issue is whether the extension of the permission until 31/1/23 is acceptable and whether the proposal will have a negative impact upon the immediate area or adjacent residential properties.

### **Policies**

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

Policy PCYFF2 – Development Criteria

Policy PCYFF3 – Design and Place Shaping

Strategic Policy PS19 – Conserving and where appropriate enhancing the natural environment

Policy AMG5 – Local Biodiversity Conservation

Strategic Policy PS4 – Sustainable transport, development and accessibility

Policy TRA2 – Parking Standards

Policy TRA4 – Managing Transport Impacts

Policy ISA3 – Further and Higher Education Development

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

<b>Consultee</b>	<b>Response</b>
Cynghorydd Bob Parry	No response
Cynghorydd Dylan Rees	No response
Cynghorydd Nicola Roberts	No response
Cyngor Tref Llangefni Town Council	Approval Recommended

The proposal was advertised by posting individual letters to all adjacent residential properties. The expiry date to receive representations was the 29th April, 2022. At the time of writing the report no letters had been received.

#### **Relevant Planning History**

34LPA121M/CC/ECON - Erection of a new school on land near Ysgol Gyfun Llangefni – Approved 18/10/11

34LPA121K/CC/SCR - Screening Opinion for the erection of a new school on land near Ysgol Gyfun Llangefni EIA not required 5/7/11

34LPA121R/VAR/CC - Variation of condition(05) from 34LPA121Q/CC so as to change the flue colour from green to stainless steel at Ysgol y Bont – Approved 3/4/14

34LPA121N/CC - Variation of condition (06) and (07) at Ysgol y Bont, Llangefni – Approved 8/8/12

34LPA121Q/CC - Installation of a biomass wood pellet boiler unit in connection with new school at Ysgol y Bont, Llangefni – Approved 2/8/13

FPL/2021/220 - Full application for the retention of a prefabricated building to be located on the land temporary until March 2022 to house two classrooms and toilets for use by pupils at - Canolfan Addysg Y Bont, Ffordd Cildwrn / Cildwrn Road, Llangefni – Permit 6/10/21

## **Main Planning Considerations**

This is an application under Section 73 for the variation of condition (01) (Building removal and land restored to former condition before 01/04/2022) of planning permission reference FPL/2021/220 (Temporary prefabricated building) so that the building can remain on site until 31/01/2023 to house two classrooms and toilets for use by pupils of Ysgol y Bont, Llangefni.

The portacabin is required due to essential extensive maintenance work which is required to be undertaken on the roof at Ysgol y Bont. As a contingency the portacabin has been placed on the land temporarily to allow pupils to continue to access learning through as much face to face learning as possible.

The previous permission has lapsed since the 01/04/2022; however the extensive work to the roof is taking longer than originally expected. The planning application submitted requests an extension to the temporary permission until 31/01/2023.

## **Design and Landscaping**

The proposal is a standard portacabin building which has been located on the existing car park to the South West of Ysgol y Bont. The building measures 18.080m long x 9.880m wide and will be approx. 4.453m high at the highest point from ground level. The portacabin has a timber decking/ramp which is used to gain access to the classroom and has been sited on the existing tarmac of the car park.

## **Impact of the proposal upon the area/adjacent residential properties**

It is not considered that an extension in the temporary permission until 31/01/2023 will have any impact upon the area. Residential properties are located away from the site and the proposal will not impact upon the amenities of residential properties due to the location being a considerable distance away. The portacabin fits in with the school complex and cannot be seen unless you drive onto the school grounds. This is a temporary building and will be removed before the 01/02/2023.

## **Conclusion**

It is considered acceptable to allow the portacabin to remain on site until 31/01/2023 in order that essential work is completed to the main school roof at Canolfan Addysg y Bont. It is not considered that the proposal has any impact upon the area or adjacent residential properties.

## **Recommendation**

That the application is permitted subject to the following conditions:

**(01) The building shall be removed from the land in its entirety and the land restored to its former condition before 01/02/2023.**

Reason: for the avoidance of doubt.

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

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

**(03) The development hereby permitted shall be carried out in strict conformity with the details shown on the plans below, contained in the form of application and in any other documents**

**accompanying such application unless included within any provision of the conditions of this planning application.**

- **Location/Block Plan - ED200-AL (20) 02**
- **Proposed Floor Plan & Elevations - ED200-AL(20) 03**
- **Proposed Foul Drainage Connection - ED200-AL-(20) 05**

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

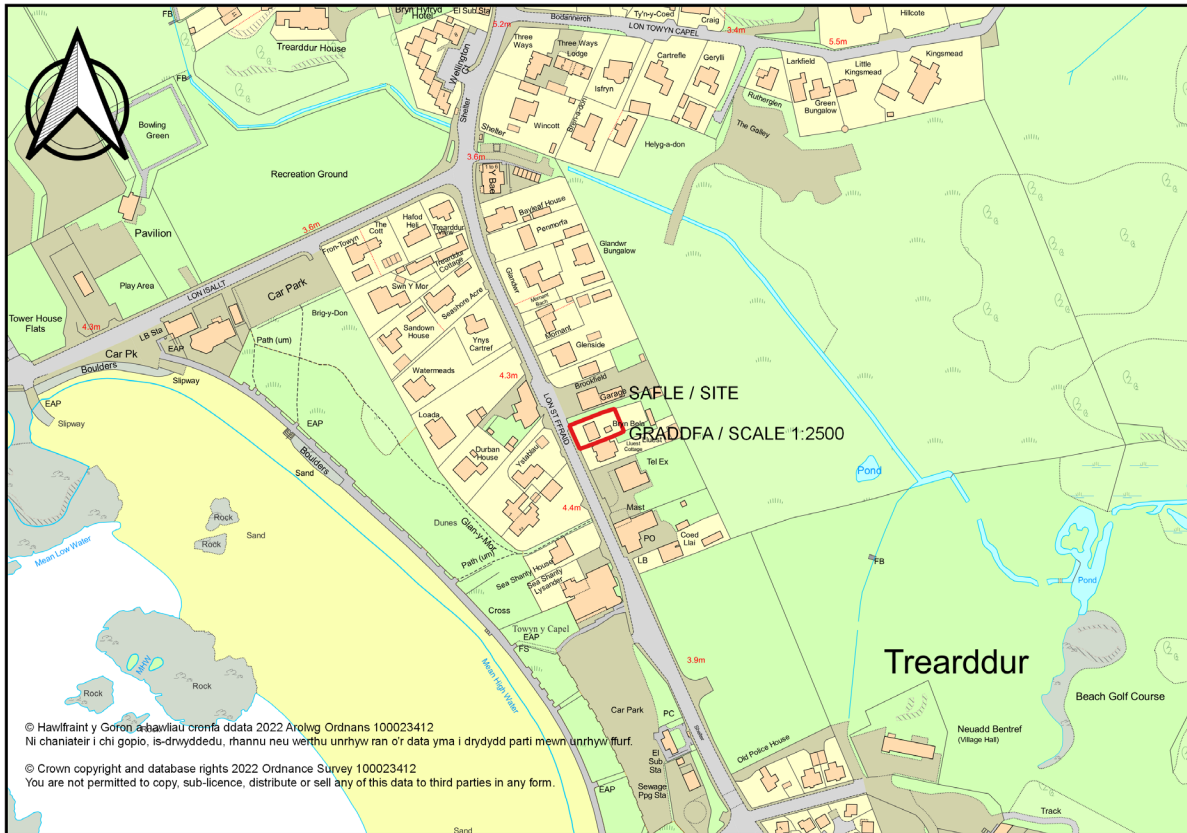
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2021/160

Applicant: Ms. Cora Cleary

Description: Full application for change of use of residential dwelling (Class Use C3) into Hot Food Takeaway Business (Class Use A3) together with alterations to building and alterations to vehicular access at

Site Address: Bryn Bela, Lon St Fraid Road, Bae Trearddur Bay



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

Recommendation: Permit

### Reason for Reporting to Committee

The application has been called into the Planning and Orders Committee at the request of Local Member Dafydd Rhys Thomas.

### Proposal and Site

The planning application is made to change the use of the existing residential dwelling (Use Class C3) to a hot food takeaway (Use Class A3). A total of seven parking spaces will be provided for both customers and staff members.

The application site is abutted to the north by a commercial garage and to the south and east by residential properties. There are also residential properties on the opposite side of the road fronting the application site. In general, along this part of Lon St Ffraid there is a mixture of residential and various types of commercial premises.

A planning application has previously been refused for the proposed development. However, the current application has been resubmitted which includes both amendments and mitigation measures to address these previous concerns.

### 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 highway safety and neighbouring residential properties.

### Policies

#### Joint Local Development Plan

Strategic Policy PS 1: Welsh Language and Culture  
 Policy TRA 2: Parking Standards  
 Policy TRA 4: Managing Transport Impacts  
 Strategic Policy PS 5: Sustainable Development  
 Policy PCYFF 1: Development Boundaries  
 Policy PCYFF 2: Development Criteria  
 Policy PCYFF 3: Design and Place Shaping  
 Policy PCYFF 4: Design and Landscaping  
 Policy MAN 5: New Retailing in Villages  
 Policy MAN 7: Hot Food Take-Away Uses  
 Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment  
 Policy AMG 1: Area of Outstanding Natural Beauty Management Plans  
 Policy AMG 3: Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character  
 Policy AMG 5: Local Biodiversity Conservation

Supplementary Planning Guidance: Design Guide for the Urban and Rural Environment (2008)  
 Supplementary Planning Guidance: Parking Standards (2008)

### Response to Consultation and Publicity

Consultee	Response
Ymgynghoriadau Cynllunio YGC	No Response
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Comments contained within the main core of the report
Priffyrdd a Trafnidiaeth / Highways and Transportation	Following receiving amended plans, no objections subject to conditions.
Dwr Cymru Welsh Water	Advisory Notes
Iechyd yr Amgylchedd / Environmental Health	No objections subject to conditions
Cynghorydd Dafydd Rhys Thomas	Concerns regarding traffic and parking problems within the area together with the impact upon the Welsh Language

Cynghorydd John Arwel Roberts	No Response
Cynghorydd Trefor Lloyd Hughes	No Response
Cyngor Cymuned Trearddur Community Council	No Response
Cyfoeth Naturiol Cymru / Natural Resources Wales	No Objection
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Proposed nestboxes will achieve biodiversity enhancement. This is in line with the Council's duty under Section 6 of the Environment Wales Act (2016) to seek to maintain and enhance biodiversity whilst carrying out its functions.

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties. Following receiving amended plans, the publicity process was carried out on three separate occasions. The latest date for the receipt of any representation was the 06.04.2022. At the time of writing this report, a total of 71 correspondence have been received as a result of the publicly process. The main points raised are summarised below:

- Traffic congestion and consequent highway and pedestrian safety implications including, access for emergency vehicles.
- Lack of double yellow lines present. Public car park is a 100m away and ticketed.
- There will be an increased amount of litter as a result of the proposal
- Impact on residential amenity due to noise, smell from waste, vermin and anti-social behaviour
- Concerns regarding damage to neighbouring property
- Unsuitable location.
- Proposal is within a residential area.
- There is a covenant on the property which prevent its use for commercial purposes.
- Impact of the proposal on other similar outlets in the village and the locality and as such there is no need for a further food outlet in the village.
- Concerns regarding the impact upon the Welsh Language
- Concerns regarding land ownership
- Supportive - More retail outlets are welcomed in Trearddur Bay

### Relevant Planning History

FPL/2021/25 - Full application for change of use of residential dwelling (Class Use C3) into Hot Food Takeaway Business (Class Use A3) together with alterations to building – Refused 28/04/2021

### Main Planning Considerations

#### Planning Policy and Principle of Development:

Criteria 4 of strategic policy PS 13: Providing Opportunity for a Flourishing Economy, states that whilst seeking to protect and enhance the natural and built environment, the Councils will facilitate economic growth in accordance with the spatial strategy of the Plan by supporting economic prosperity and sustainability of rural communities by facilitating appropriately scaled growth of rural enterprises, extension of existing businesses in appropriate accessible locations consistent with the Plan's Spatial Strategy and in line with Strategic Policies PS5 and PS6.

Having regard to the pandemic material guidance is contained in Building Better Places – Placemaking and the Covid-19 Recovery published by the Welsh Government which recognises the Covid impacts and advises decision makers in development management should consider widely what is material to a particular application and apply this to their considerations particularly where the outcome will be a benefit to creating better places.

The Joint Planning Policy Unit's (JPPU) comments explains that policy MAN 5 permits the change of use of buildings to small shops including A3 uses subject to the detailed criterion. Further to that policy MAN 7 permits hot food takeaways provided that the listed criteria are met.

The proposal is considered in conformity with criterion (1) (makes use of an existing building) and is within the development boundary of the settlement (2) (within development boundary) which is in compliance with the requirements of policy MAN 5.

### **Sustainability:**

Requirements of criterion (04) of MAN 5 and MAN 7 ensure that application sites are easily accessible by foot, cycle and public transport. Trearddur Bay is classified as a Coastal Village under the settlement strategy of the Joint Local Development Plan (JLDP) and whilst this is not a higher order settlement, the application site is considered to be in a sustainable location given that it is located on the main Holyhead /Bangor bus route which is one of the most frequent services on the island. It is also material that that Trearddur Bay is an important tourist destination on the Island with ample holiday accommodation within walking distance to the site.

### **Impact upon Amenity 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 7 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.

Criterion (3) of MAN 5 also requires that the development does not significantly harm the amenities of neighbouring residents or the character of the area. Criterion (01) of MAN 7 requires that the development will not generate excessive noise, smells or litter that will have an unacceptable impact on the amenities or character of the area. Criterion 3 of MAN 7 also requires that the use is in keeping with adjacent uses.

Along this part of Lon St Ffraid there is a mix of residential and various types of commercial premises including shops, restaurants and a garage. On this basis it is not considered that the development would significantly harm the character of the area.

Notwithstanding the above, it is noted that residential properties are in very close proximity and abutting the boundary with the application site. Whilst a single vehicle track divides the application site and a commercial garage at the northern boundary, the eastern and southern boundaries are abutted by residential properties, namely Llust House and Llust Cottage.

One of the reasons for refusal within the previous application (FPL/2021/25) was that it was considered the proposed development would have an unacceptable impact on the amenities of occupants of nearby residential dwellings by virtue of noise and general disturbance. It also considered that the development is not in keeping with the abutting residential use.

The current application has included several amendments in an effort to overcome these issues.

The customer serving area together with the kitchen is being proposed within the main house. The existing garage will be converted into a storage area. Whilst the area in which customers will enter and exit the building has a potential to cause disturbance, the proposed storage area is located closer to the adjoining property to the south. One of the amendments included as part of the current application is that the door to the delivery area is being moved away from the adjoining property.

Outdoor seating areas for the consumption of hot food provided at the frontage of the proposed development has also been removed and replaced with two parking spaces. Five car parking spaces are also being proposed at the rear.

Other mitigation measures being proposed is a 2 meter high acoustic fence along the southern and eastern boundaries abutting the residential properties.

Criterion 7 of MAN 7 requires that the extraction and ventilation system must be designed so that they do not have an unacceptable impact on residential amenity. The flue being proposed on the northern gable adjacent to the commercial garage, is set away from nearby dwelling houses. Environmental Health has assessed the supporting specification detailing the proposed apparatus and have raised no objection.

The provision for waste storage has also been included towards the northern part of the site away from nearby dwellinghouses, meeting the requirements of criterion 6 of policy MAN 7.

### **Impact upon Amenity of Neighbouring Properties Conclusion:**

It is acknowledged that A3 takeaway uses are characterised by resulting in noise and general activity particularly when this occurs later on in the evening and weekends which can have a detrimental impact on residential amenity. A condition has been included as part of the recommendation which will control the opening hours.

It is considered that the mitigation measures being proposed are material considerations. The removal of the outdoor seating area at the front of the property will minimise the general disturbance associated with its use. In return, the inclusion of parking areas in this location together at the rear of the property will cause disturbance in itself by the regularly manoeuvring of vehicles. However, it is considered that the acoustic fence being proposed will mitigate against noise and disturbance arising from such activity.

On balance, given the amendments together with the mitigation measures being proposed, the proposed development will not have an unacceptable impact on the amenities of occupants of the adjacent dwellings. Planning conditions will be imposed as part of any permission to control the hours of use, delivery times, control of external lights and to ensure that mitigation measures are in place prior to the use being commenced.

### **Highways:**

Criterion (05) of MAN 5 and MAN 7 relates to car parking/highway safety. The original application was refused on the basis that the application site is located on a busy thoroughfare and that no car parking spaces were provided as part of the application.

The current application has been amended so that two car parking spaces are provided at the front of the property and a further five spaces will be available at the rear. The two spaces along with a single space at the rear will be made available for customers, whilst the remaining four spaces at the rear are available for staff members.

In order to access the parking spaces at the rear of the property, the existing garage will be reduced to allow sufficient vehicle movement.

Following assessing the amendments included within the current application, the Highways Department are of the view that the parking arrangement complies with the SPG Isle of Anglesey Council Parking Standards. In addition, on street car parking spaces is available in the vicinity together with a public car park approximately 180 metres south of the site.

Over Concentration of use and vitality within the immediate locality:



A Business plan is submitted with the planning application and this is considered satisfactory having regard to the requirements of criterion (06) of MAN 5 and (2) of MAN 7. Furthermore the economic benefits especially given the Covid recovery phase have been weighted in assessing the proposal.

### **Welsh Language:**

The JPPU's comments describe the statutory and policy provisions material in the determination of this planning application. The guidance contained in Appendix 5 states that all retail, commercial or industrial developments which do not require the submission of a Welsh Language Statement / Assessment should show how consideration has been given to the language.

It is noted that consideration has been given to the Welsh language in the accompanying planning statement, and that the information provided is sufficient to meet the requirements of policy PS1 and the SPG. The applicant has also confirmed they intend to name the business in the Welsh Language. Although this is welcomed by the Local Planning Authority, there is no policy requirement to secure this endeavour.

### **Other Considerations:**

The area to the south west is designated as part of the AONB. Paragraph 5.3.5 of PPW explains that the primary objective of designating AONB's is the conservation and enhancement of their natural beauty. Development Management decisions affecting AONB's should favour conservation of natural beauty, although it will be appropriate to have regard to the economic and social well-being of the areas. Given that the proposal entails the change of use of an existing building it is not considered that the proposed development will materially affect the special qualities of the AONB. NRW raise no issues on this basis.

There is a statutory requirement for the Local Planning Authority to have regard to the AONB purposes. Regard has been taken of these statutory requirements in terms of the impact of the proposal on the setting of the AONB having been assessed.

To the west along the foreshore there is a designated a Special Protection Area (Anglesey Terns SPA) and a Special Area of Conservation Area (North Anglesey Marine SAC, for porpoises). NRW have not raised an objection in relation to these protected sites. The council's Ecologist has screened the development under the habitat regulations and appropriate assessment is not required.

### **Conclusion**

The proposed development is considered acceptable in policy terms, overcoming the previous reasons for refusal. The amendments included as part of the current application include the provision of customer and staff parking spaces together with mitigation measures in an effort to safeguard the amenity of the neighbouring property.

On balance, it is considered that these mitigation measures will enable the proposed use to proceed without having an unacceptable impact on the amenities of occupants of neighbouring properties, highway network or the Welsh Language.

### **Recommendation**

That the application is permitted subject to the following 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 – A-00-01 Rev 01**
- **Proposed Elevations – A-03-02 Rev 04**
- **Proposed Plans – A-03-01 Rev 06**
- **Proposed Site Layout – A-03-04 Rev 05**
- **Acoustic Fence Details – A-03-03**

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

**(03) The development hereby approved shall only be used as a takeaway and for no other purposes under Class A3 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any Order re-voking re-enacting that Order).**

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

**(04) 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: To protect the amenities of nearby residential occupiers.

**(05) 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.

**(06) The acoustic fence as detailed on the submitted drawing (Acoustic Fence Details Reference A-03-03) and positioned on the boundary (as delineated on the submitted drawing A-03-04 Rev 03) shall be erected before the use is commenced. The fence shall not be removed at any time. If the fence needs to be replaced/changed for whatever reason the replacement shall be of the same height and type and in the same position.**

Reason: To protect the amenities of nearby residential occupiers.

**(07) Alterations to the existing garage together with creation of the car parking accommodation shall be completed in full accordance with the submitted details (as delineated on the submitted drawings A-03-04 Rev 05, A-03-02 Rev 04 and A-03-01 Rev 06) before the use hereby permitted is commenced. The car parking accommodation shall thereafter be retained solely for those purposes.**

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

**(08) Prior to the installation of any external lighting associated with the development hereby approved, a scheme for the provision of external lighting (including design, size and illuminance) shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved scheme.**

Reason: To protect the amenities of nearby residential occupiers.

**(09) The use shall not be carried out outside the hours of 12:00 to 20:00 Monday to Friday, 12:00 – 22:00 on Saturdays and 12:00 – 16:00 on Sundays and Bank Holidays.**

Reason: To protect the amenities of nearby residential occupiers.

**(10) Deliveries to the site shall not be carried out outside the hours of 12:00 – 17:00 Monday to Friday. No deliveries shall be undertaken on the weekend or Bank Holidays.**

Reason: To protect the amenities of nearby residential occupiers.

**(11) The use hereby approved shall not commence until the ventilation and extractor apparatus are fitted and be fully operational in accordance with the submitted details (Henry Nuttall 27/02/2020 and Ruck Ventilatoren). If the apparatus needs to be replaced/changed for whatever reason the replacement shall be of the same detail.**

Reason: To protect the amenities of nearby residential occupiers.

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: TPO/2022/8

Applicant: Head of Service Regulation and Economic Development

Description: Application for works to trees protected by a Tree Preservation Order on land adjacent to

Site Address: 12 Brig Y Nant, Llangefni



**Report of Head of Regulation and Economic Development Service (Edward Henderson)**

**Recommendation:** Permit

**Reason for Reporting to Committee**

The land is owned by the County Council

**Proposal and Site**

**Proposal**

It is proposed to remove one lower limb of an ash tree (T1) that overhangs the rear garden on No.12 Brig y Nant. The tree is protected by TPO 30: The Dingle Llangefni, 1971. The tree subject to the application is within W2.

## Site Description and context

The Dingle/Nant y Pandy woodland occupies 10hectares of the sloped valley surrounding the Afon Cefni and is owned by the County Council. The woodland is a local nature reserve, important to local wildlife such as the red squirrel and included in NRW's inventory of Ancient Woodland sites. It contains a mix of planted and natural woodland and comprised of sessile oak, ash, wild cherry, sycamore, ash, sweet chestnut, beech and Scots pine. It is a valuable local amenity and important for local recreation through a pedestrian and cycle route between Cefni reservoir and Llangefni.

The Brig y Nant estate is on the southwest boundary of the woodland with the back gardens of a number of properties bordering the Dingle. No.12 Brig y nant has a boundary with the Dingle woodland and the tree subject to the application is a mature ash overhanging the rear garden. From the boundary the woodland slopes down towards the Cefni, screening views into and out of the Dingle.

Seen from within the Brig y Nant estate, the tree is part of the attractive backdrop giving a strongly wooded character to the immediate area.

## Key Issues

The main issue is the likely effect on public amenity from the proposed works, and whether they are justified, having regard to the reasons put forward in support of them.

## Policies

### Joint Local Development Plan

Technical Advice Note 10: Tree Preservation Orders (1997)

## Response to Consultation and Publicity

Consultee	Response
Cyngor Tref Llangefni Town Council	No response to date
Cynghorydd Nicola Roberts	No response to date
Cynghorydd Dylan Rees	No response to date
Cynghorydd Bob Parry	No response to date

No publicity was required

## Relevant Planning History

34LPA882/TPO/CC - Application to fell two trees and crown reduce one tree

34C167G/1 - Erection of a conservatory

34C167 - Brig y Nant, Llangefni - Development constructed in 3 stages, road and sewers to be completed to adoption standards for each phase, landscaping, screening, footways - 10/02/1989 - - -

## Main Planning Considerations

### Justification

The works are proposed further to the concerns of the occupiers of No.12 Brig y Nant that the tree may cause harm and is affecting their enjoyment of the property. The works are of a minor nature and limited to the removal of a single limb on the garden boundary.

However, it is an imposing tree when viewed from the property and the proposed works will reduce this encroachment while reducing the weight of the tree on the dwelling side.

**Effects on public amenity and tree health**

The amenity effects of the proposed would be negligible to public views and not affect the amenity value of the Tree Preservation Order. The tree was surveyed in 2021 as part of an ash dieback (adb) survey. No signs were noted at that time and no works were identified directly as a result of that survey.

**Conclusion**

The works will have a negligible adverse amenity effect are suitably justified for reason private amenity and recommended for approval.

**Recommendation**

That the application is permitted subject to the following condition:

**(01) The proposed works are done to British Standard 3998:2010 Tree Work – Recommendations.**

Reason: In the interest of amenity.

All birds, their nests and eggs are protected by law. Any disturbance between 1st March and 30th September could constitute a criminal offence.

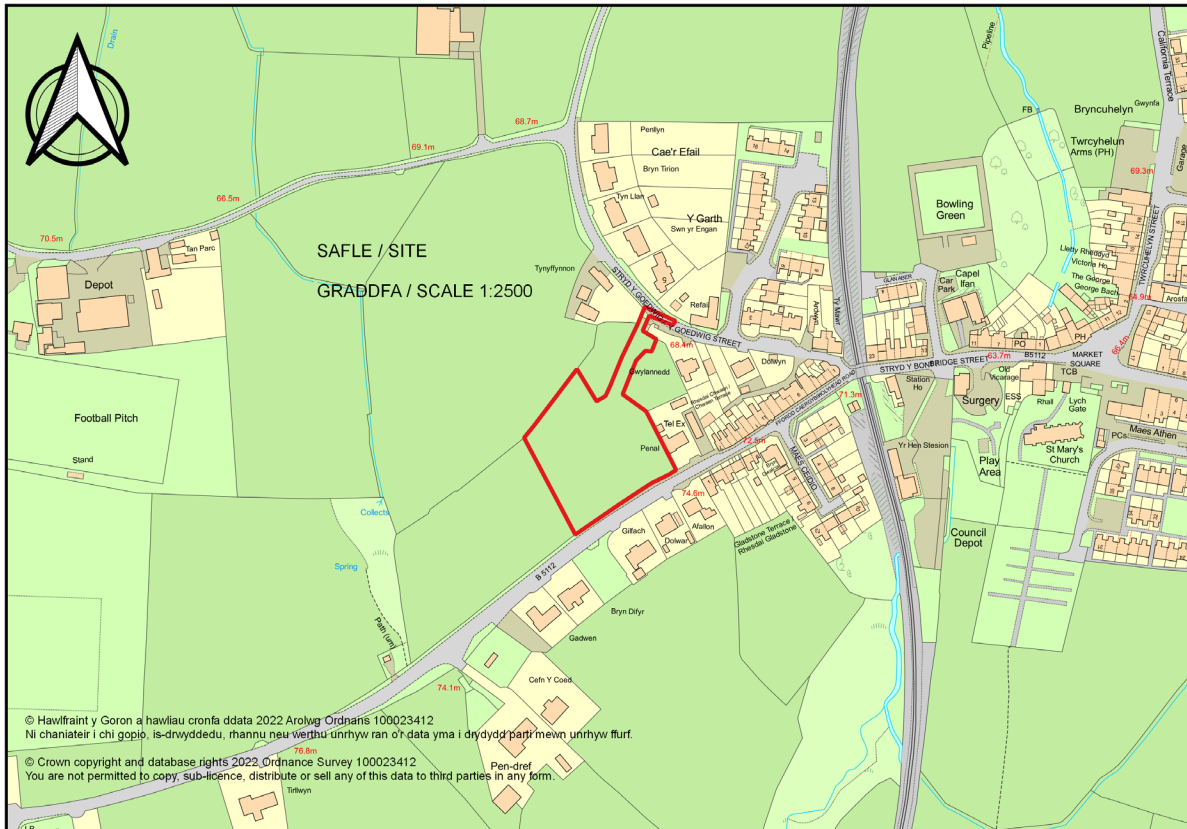
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: OP/2021/10

Applicant: Mr and Mrs John and Heulwen Thomas

Description: Outline application for the erection of 10 dwellings with associated access, internal access road and parking together with full details of access and layout at

Site Address: Land adjacent to Tyn y Ffynnon, Llannerch-y-medd,



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

Called in by former Councillor John Griffith due to the concerns of residents and community council members about the likely loss of expedited parking.

**Proposal and Site**

The site is currently vacant agricultural land, with an existing agricultural access off the B1152 which runs along the south-east boundary of the site. The site can also be accessed off Goedwig Street which runs along the north-east boundary of the site.

To the north-west and west of the site are open agricultural fields. To the east of the site are residential dwellings, and another two residential properties to the north. To the north-east of the site is a parcel of land with extant planning permission for two dwellings (ref: 25C196B and 25C196C/DA).

The application site is included within the development boundary of Llanerchymedd, with the majority of the site allocated for housing.

This application is for Outline Planning Permission to secure matters of access and layout only at this stage. A subsequent application(s) will be required for matters relating to landscaping, scale and appearance of the development proposed.

The application relates to a residential scheme comprising of 10 dwellings, creation of an access, internal access road and parking. The proposed dwellings would comprise of the following mix:

- 1x six-person, four-bed house;
- 2x four-person, two-bed houses;
- 5x five-person, three-bed houses; and
- 2x five-person, three-bed bungalows.

Two of the dwellings listed above would be affordable dwellings and the remainder would be open market dwellings.

The proposed access into the development would be located off the main road; the B1152 that runs along the south-east boundary of the site.

The initial submission provided 21 car parking spaces. Subsequent amendments were made to the scheme following objections received. These amendments along with Officers assessment of the scheme is provided below.

## **Key Issues**

In total, three objections were received (2 letters, and 3 online comment) with regard to the application. The main concerns are outlined below.

Objections:

- Concerns over impact on capabilities of drainage system in area.
- Loss of, and impact on parking available to existing residents.
- Impact on local resident's amenities – including loss of light / overbearing development.

## **Policies**

### **Joint Local Development Plan**

Strategic Policy PS 1: Welsh Language and Culture

Strategic Policy PS 2: Infrastructure and Developer Contributions

Policy ISA 1: Infrastructure Provision

Policy ISA 5: Provision of Open Spaces in New Housing Developments

Strategic Policy PS 4: Sustainable Transport, Development and Accessibility

Policy TRA 2: Parking Standards

Strategic Policy PS 5: Sustainable Development

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

Policy PCYFF 1: Development Boundaries

Policy PCYFF 2: Development Criteria

Policy PCYFF 3: Design and Place Shaping

Policy PCYFF 6: Water Conservation



Policy TAI 3: Housing in Service Villages  
 Policy TAI 8: Appropriate Housing Mix  
 Strategic Policy PS 18: Affordable Housing  
 Policy TAI 15: Affordable Housing Threshold & Distribution  
 Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment  
 Policy AMG 5: Local Biodiversity Conservation

Supplementary Planning Guidance - Maintaining and Creating Distinctive and Sustainable Communities  
 Supplementary Planning Guidance - Affordable Housing (2004)  
 Supplementary Planning Guidance - Planning Obligations (Section 106 Agreements) (2008)  
 Supplementary Planning Guidance - Parking Standards (2008)

### Response to Consultation and Publicity

Consultee	Response
Cynghorydd John Griffith	Requested application be heard at Planning Committee.
Cynghorydd Kenneth P. Hughes	No response to date
Cynghorydd Llinos Medi Huws	No response to date
Cyngor Cymuned Llanerchymedd Community Council	Objection received. - Whilst unanimous support was noted for the application in principle, considerable concern was expressed about the increase in traffic. The traffic/parking situation from Bridge Street, via Gladstone Terrace / Maes Ceidio to the end of Holyhead Road creates serious problems in this area. - Concerns were also raised with regard to the potential use of the Station Car Park to help off-set parking concerns, which is noted as being in private ownership (not the IoACC).
Priffyrdd a Trafnidiaeth / Highways and Transportation	Request to increase the number of parking spaces. Discussions have been ongoing and parking has increased to include 22 parking spaces, 6 visitor parking spaces and the site boundary has been changed to allow an additional 6 on-street parking spaces.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	No comments received.
Iechyd yr Amgylchedd / Environmental Health	Request for Conditions / Informatives to be added to any approval.
Draenio Gwynedd / Gwynedd Drainage	No comments received
Dwr Cymru/Welsh Water	No objection following amendments to scheme. Conditions & Informatives to be added to any approval.
Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service	No comments received.
Gwasanaeth Addysg / Education Service	No objection – financial contribution requested.

Strategol Tai / Housing Strategy	No objection. Comments received - these are considered further in Chapter 6 (Main Planning Considerations) below.
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	No objection. Comments received - financial contributions requested.
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objection. Noted that bats were not indicated to use the site.
Bwrdd Iechyd Betsi Cadwaladr Health Board	No comments received.

### **Pre-Application Consultation (PAC)**

The scheme consulted upon at PAC was for a larger scheme of 16 dwellings, on a site that was larger than, but included the current application site. Following feedback received from Welsh Water, the scheme was amended to this proposed outline planning application for 10 dwellings.

Comments were also provided by the Councils Highways Officers noting concerns over vehicles parking along the B1152 (Holyhead Road) adjacent to the application site. Officers recommended that the development would need to provide space to overcome the parking lost along the frontage of the site as a result of the development. It was considered that the application would increase the volume of traffic along this part of the B1152, which could exacerbate the existing situation to the detriment of highway convenience and safety.

### **Relevant Planning History**

LUP/2020/6 - Application for a certificate of proposed use or development in relation to a material start having been made on permission 25C196C/DA thus safeguarding the consent on land to rear of - Telephone Exchange, Llanerchymedd - Caniatáu / Permit

HHP/2021/40 - Full application for alterations and extensions at - Penal, Ffordd Caergybi / Holyhead Road, Llanerchymedd - Caniatáu / Permit

PAM/2019/23 - Pre-application advice for the erection of 16 dwellings, with associated access, internal access road, parking and landscaping at - Tir ger/land at Tyn Ffynnon Llanerchymedd - [object Object] - Barn wedi'i roi / Advice Given

25C196C/DA - Application for reserved matters for the erection of 2 dwellings together with the construction of a vehicular access on land to the rear of - Telephone Exchange, Llanerchymedd

25C196B - Application under Section 73 for the variation of condition (02) from planning permission reference 25C196A (outline application for the erection of two dormer bungalows and alterations to the existing vehicular access) so as to allow a further three years to submit the reserved matters on land adjacent to Telephone Exchange, Llanerchymedd.

### **Main Planning Considerations**

#### **Principle of Development**

The Joint Local Development Plan (JLDP) identifies Llanerchymedd as a Service Village under Policy TAI 3. This Policy supports housing to meet the Plan's strategy through housing allocations and suitable unallocated sites within the development boundary based upon the indicative provision shown within the Policy.

This site lies within the Llanerchymedd development boundary and represents the T56 housing allocation which is land allocated as a housing site in the Plan as well as additional land not allocated but within the development boundary. It is considered that the principle of the provision of a residential development on this part of the site has already been assessed and considered appropriate as part of the JLDP.

Policy TAI 3 estimates that the number of dwellings to be provided on the allocated site T56 is 17 dwellings. Criterion (3) within Policy PCYFF 2 seeks to ensure that proposals make the most efficient use of land, including achieving densities of a minimum of 30 housing units per hectare for residential development (unless there are local circumstances or site constraints that dictate a lower density). The application site does not however include the entirety of the allocated housing site.

The site is approximately 0.47 hectares in size. The provision of 10 dwellings on a site of this size would result in a development with a lesser density than 30 housing units per hectare. As a result, Officers must consider local circumstance or site constraints that have dictated a lower density.

The original scheme for this site was for 16 residential units (which would have achieved the necessary density target). However, feedback received at the PAC stage from Dŵr Cymru / Welsh Water showed that the proposed development for 16 dwellings would overload the existing Waste Water Treatment Works. Following this consultation response, the scheme has been reduced to 10 dwellings (which could be accommodated by the Waste Water Treatment Works), and as a result, the application site area was reduced accordingly.

In considering the proposals against Policy TAI 3 and Criterion (3) within Policy PCYFF 2; with the requirement for an internal access road designed to an adoptable standard, the mix of housing and the parking provision to serve the dwellings along with drainage requirements, it is considered that the density of development is appropriate.

### **Welsh Language**

In line with Strategic Policy PS1, a Welsh Language Statement has been submitted with the application. In considering this application, Criterion 3 through to 5 of Policy PS1 are of relevance to the proposal.

Criteria 3 notes that applications will be refused where they would cause significant harm to the character and language balance of a community that cannot be avoided or suitably mitigated by appropriate planning mechanisms. Regard must also be had to the requirements set in Appendix 7 of the Councils SPG: Maintaining and Creating Distinctive and Sustainable Communities.

In assessing the Welsh Language Statement against those requirements, Council Officers are satisfied that the methodology questions have been answered in full, and that the analysis and conclusions based on the cumulative information submitted is reasonable given the scope of the proposal.

It is noted, in regard to Criterion 4, that any advertising/branding signage within the public domain in relation to this application would be bi-lingual. This issue is however mainly relevant to commercial and industrial developments rather than residential developments.

In considering Criterion 5, the applicant also confirms in their Welsh Language Statement that the name of the development would be a Welsh name and would have regard to historical, geographical or local ties to the area.

The proposal is considered to adhere to Policy PS1 of the JLDP.

### **Housing Mix**

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

explanation of Policy TAI 8 notes that an applicant is expected to examine information from a variety of sources to ensure that the appropriate mix of homes is provided.

Supplementary Planning Guidance (Housing Mix) was also adopted by the Council in October 2018 and advocates a four-stage approach to the assessment of an appropriate housing mix within housing developments. Stage 1 points towards an assessment of the evidence for supply, demand and need in the local community.

The Anglesey Local Housing Market Assessment (LHMA) 2016 states that in terms of the accommodation required to provide housing market balance over the plan-period, the model, which is based on primary and secondary data, suggests that of the new housing required up to 2026, 70% should be market, 3% shared ownership/help-to-buy, 17% intermediate rent and 10% social rented. The new housing required by 2033 should be 73% market, 3% shared ownership/help-to-buy, 17% intermediate rent and 7% social rented.

The model also indicates that new market accommodation should principally be two, three and four bedroom homes with a range of dwelling sizes required in the affordable sector.

The proposal constitutes 80% market, and 20% affordable, and would comprise a mix of two, three and four bedroom homes, as the model suggests as most appropriate.

The following housing characteristics are further noted in Llanerchymedd according to the 2011 Census:

- The Llanerchymedd built up area has a higher proportion of social rented homes (24.4%) and a lower proportion of homes owned outright (61%) compared to Anglesey (14.7% and 68.5%)
- The Llanerchymedd built-up area has a lower proportion of detached houses (38.3%) but a higher proportion of terraced (39.4%) and semi-detached houses compared to the Isle of Anglesey which has 47.9% detached, and 22.3% terraced.
- The Llanerchymedd built-up area has a lower proportion of dwellings with 4+ bedrooms (16.7%) compared to Anglesey (21.1%).

As outlined above, the mix of housing proposed is broadly similar to what has been built between 2011 and 2018. However, the proposed proportion of 3 bed dwellings is slightly higher. The applicant makes reference to the Social Housing Register and the Tai Teg Affordable Housing Register in their DAPS document as submitted. Figures from the Social Housing Register confirms a waiting list for various sizes of housing, ranging from one to six bedrooms. As of 9th December 2019, there were 14 households registered on the Tai Teg website for affordable housing in Llanerchymedd:

- 4 require two bedrooms;
- 9 require three bedrooms; and
- 1 requires 4+ bedrooms.

In considering the necessary housing mix with regard to the evidence above, two of the proposed plots will be bungalows which would cater for occupants with mobility difficulties or the elderly.

In considering the evidence provided and the balance / mix of units proposed, Officers are of the view that the proposed housing mix is appropriate for this location.

With regard to Stage 2 of the SPG (Housing Mix), guidance requires applicants to take appropriate consideration of the most appropriate housing mix in the design of the proposal. With regard to the main constraints at the site (mainly drainage, and parking concerns) and how regard has been made to these throughout the design and application process, Officers are of the view that again, on balance that the proposed scheme provides an appropriate range of housing types and sizes, given the constraints identified.

Stages 3 and 4 of the SPG require the applicant to go through Pre-Application Consultation with the Council, and to show in any subsequent application how any recommendations have been considered in their application. The applicant has taken draft proposals through the necessary PAC process and has shown in their planning application how recommendations have been considered, and design changes made in response.

The proposed is considered to be in accordance with Policy TAI 8, and the Councils Housing Mix SPG.

### **Affordable Housing**

Policy TAI 15 seeks an appropriate provision of affordable housing and has a threshold figure of 2 or more units within Service Villages such as Llanerchymedd. Since the application proposes an increase of 10 units, this meets with the threshold noted in Policy TAI 15 for making an affordable housing contribution.

Llanerchymedd is situated within the 'Mid Rural' housing price area in the Plan, and it is noted that providing 20% of affordable housing is viable. As an increase of 10 units are proposed this means that 2 of the total new units should be affordable. The application includes 2 affordable units, and therefore the proposal is considered compliant with the initial requirements of Policy TAI15.

Regard must also be made to the applicable criteria set out in Section 3 of Policy TAI 15. Criterion 1 is met, with regard to how the proposal has responded to Policy TAI 8 and the Housing Mix SPG (assessed earlier).

Criteria 2 requires any affordable housing to be indistinguishable from non-affordable housing. At this stage (being an application for Outline Planning Permission) only details of access and layout have been provided. Whilst it is not evident that there are distinguishable differences between 'affordable' and 'non-affordable' units, any subsequent Reserved Matters application will need to meet this criterion in consideration of the proposal's appearance.

Criteria 3 and 4 are not applicable to this application (viability is not being questioned).

Criteria 5 necessitates that there are suitable mechanisms in place to manage the occupation of the affordable housing units upon initial occupation, and in perpetuity, to those who can prove a need for an affordable dwelling. The Affordable Housing SPG notes that in order for the Council to comply with Welsh Government Circular 016/2014, the Local Planning Authority will apply a Planning Condition similar to the model condition set out in the Circular to require an 'Affordable Housing Scheme'. The details of the Scheme will in turn be subject to a Section 106 Agreement.

Criteria 6, 7 and 9 are not applicable to this proposal.

Criteria 8 states that dwellings will need to be of a size, scale and design compatible with an affordable dwelling. These details will be considered as part of any subsequent application for 'Reserved Matters' relating to landscaping, scale and appearance.

In consideration of those matters that can be assessed at this stage for Outline Permission, the proposal is considered compliant with Policy TAI 15.

### **Education**

Policy ISA 1 notes that where proposals generate a directly related need for new or improved infrastructure and this is not provided by a service or infrastructure company, this must be funded by the proposal.

It is noted from comments from the IACC Education Department that the proposed development will lead to a requirement for additional Primary and Secondary School in the area. However, it is anticipated that

the financial contributions required through the S.106 agreement this application will be subject to, will contribute to these additional places and therefore there is no objection to the proposal from an educational point of view. The developer contributions will be subject to a legal agreement in line with Policy ISA 1.

### **Open Space Provision**

Policy ISA 5 confirms that for proposals of 10 or more dwellings in areas where existing open space cannot meet the needs of the proposed housing development, applicants will be expected to provide suitable provision of open spaces in accordance with the Fields in Trust benchmark standards of 2.4 hectares per 1000 population. An SPG on Open Space in New Residential Development was adopted on the 22 March 2019 and provides guidance for undertaking an assessment over the need for open space provision within settlements.

An Open Space Assessment has been undertaken by the Councils Policy team which identified a deficiency in the children's equipped playing space category. As a result, a total need of 56.03m<sup>2</sup> (Children's Equipped Play Space) was identified. The proposal shows that the applicant is not providing any open spaces as part of the proposed development

The applicant has noted that the provision of an open space within the site would result in the loss of a housing unit, providing a lower housing density on site, leading to the application being contrary to criterion (3) of Policy PCYFF 2. With consideration given to the necessary reduction in the number of units as a result to the limitations of the drainage system, this is considered acceptable, and the Council will seek financial contributions through a S.106 Agreement to enable the applicant to make a contribution towards the provision of suitable off-site play space in lieu of direct provision within the development site.

### **Residential Amenity**

The impact of the proposed development on neighbouring properties is assessed within the Design, Access and Planning Statement submitted with the application. Assessment of the proposal should be made against Policy PCYFF 3 (Design and Place Shaping).

The context of the site, and in this regard, neighbouring residential units must be considered by way of the layout of the proposed scheme. With regard to the local area, and the characteristic layout that would be associated with Llanerchymedd, the layout of the 10 residential units are considered appropriate. The garage to Plot P10 will be partially set back from the site boundary, and some 4-5m from the neighbouring property, 'Penal'. Being a garage there will be no overlooking from this aspect, and so consideration will need to be given to its design through any Reserved Matters application, and as to whether this may be overbearing in the immediate context.

The proposal is considered to respond to the characteristic layout of the local area, with properties fronting on the B5112, whilst noting the necessary mix of housing, the requirement for affordable housing, parking and those drainage restraints already discussed.

The character of the area is primarily residential in nature, and with the site being an allocated site (for housing) lying within the development boundary of Llanerchymedd, the proposal is deemed to compliment this existing character of the area.

Natural surveillance of the proposed internal street is provided through the orientation and layout of the development. The proposed layout also presents an active frontage along the B1152. The scheme will provide a (subsequently agreed with the Councils Highways Authority) number of parking spaces and these will be both within the development for residents and visitors, and along the B1152 for residents and visitors alike. The amendments made to the scheme as a result of negotiations with the Local Community Council and Highways Authority are considered to provide an improved scheme which will compliment the amenity requirements of the local area.

The ability to consider the proposed scale, appearance and landscaping of the proposed development in any subsequent reserved matter application would provide the ability to mitigate any potential impacts to neighbouring dwellings.

### **Transport / Parking / Highways**

The original details submitted for approval provided for a total of 21 parking spaces spread across the residential units on site. Following comments received from the Council Highways Engineer, the applicant has amended the scheme to provide a total of 22 spaces (associated with the residential units), a further 6 visitor spaces on site, and amended the site boundary along the B1152 so to allow for a further 6 parking spaces along the road.

Whilst it is noted that the proposed number of parking spaces does not strictly adhere to the Councils parking standards, the proposal must be considered as a whole; noting how site-specific constraints impact on the design of the scheme, and whether changes can realistically be made without detriment to other integral parts of the scheme.

The site is an allocated site for housing and thereby has been assessed as a sustainable location for this development and would not result in an over-reliance on cars. Regard must also be made to the likely loss of green space / trees, if extra parking spaces could be located. On balance, it is considered that an appropriate quota of parking spaces has been provided.

In assessing the application against Policy PS 4 (Sustainable Transport, Development and Accessibility) the scheme provides access to the local area, providing access pedestrian footways, and public transport routes (buses).

The proposals are considered to be in accordance with Policy TRA 2 (Parking Standards), and in line with the aims of Supplementary Planning Guidance (Parking Standards).

### **Biodiversity**

Policy AMG 5 of the JLDP provides that "proposals must protect, and where appropriate, enhance biodiversity that has been identified as being important". The applicant has provided a Preliminary Ecological Appraisal (PEA) (Cambrian Ecology Ltd) with this application for consideration.

With reference to the PEA document submitted, under Ch.6 of Planning Policy Wales 10, planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. To satisfy this condition, the use of plants of benefit to biodiversity has been recommended for inclusion in any landscaping schemes, along with the management of the hedge, the provision of bat tubes in some of the dwellings and precautionary measures with regards to hedgehogs during the construction phase.

It is considered that the application has had due regard to the potential for local biodiversity conservation, and has identified opportunities to create, improve and manage wildlife habitats and natural landscape, and is therefore in accordance with Policy AMG 5.

### **Water Conservation**

In accordance with Policy PCYFF 6 (Water Conservation), as the proposal exceeds the threshold of 10 units, Water Conservation Statement should be submitted as part of the full application.

The submitted Outline Drainage Strategy Report confirms that the surface water design has been undertaken in accordance with the SUDS drainage hierarchy given in the SUDS Guidance Manual published by Welsh Government and adopted by the Lead Local Flood Authority (LLFA). The Strategy also confirms that a SAB application will be made in line with comments received from YGC. Following review of the submitted document, the design principals followed, and the identification of flood

minimisation or mitigation measures, Officers consider that the application is in accordance with Policy PCYFF 6.

## **Conclusion**

The application is for outline permission (all matters reserved other than layout and access), for residential development on an allocated housing site within the development boundary of Llanerchymedd. The scheme meets the required affordable housing quota for this area and is considered to provide an appropriate mix of housing to suit a variety of demographics.

It is noted that the site is constrained by the drainage network capacity (as identified by Welsh Water), and this has resulted in the applicant reducing the number of units that the site can accommodate.

On balance, it is also considered the scheme proposes an appropriate number of parking spaces.

This application is therefore supported subject to a number of conditions and the completion of a S.106 Agreement to secure obligations as referred to above.

## **Recommendation**

Approve, subject to the following conditions and completion of a S.106 Agreement to secure obligations referred to above.

**(01) Any application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.**

Reason: To prevent the accumulation of planning permissions to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92(2) of the Town and Country Planning Act 1990.

**(02) The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.**

Reason: To prevent the accumulation of planning permission: to enable the Council to review the suitability of the development in the light of altered circumstances and to comply with the provisions of Section 92(2) of the Town and Country Planning Act 1990

**(03) Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.**

Reason: The application is for outline planning permission.

**(04) The development/works hereby permitted shall only be implemented in accordance with the plans as set out in the plans list below.**

- Site OS Plan A-00-01
- Proposed Site Layout - A-00-03
- Outline Drainage Strategy Report (CPF7181)
- Preliminary Ecological Assessment (Cambrian Ecology Ltd – 24th April 2020)
- Welsh Language Statement

Reason: To define the terms and extent of the permission.



**(05) Prior to commencement of development the development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:**

- i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 20% of housing units/bed spaces;**
- ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;**
- iii) the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing (if no RSL involved)];**
- iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and**
- v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.**
- vi) Dwellings will be of a size, scale and design compatible with an affordable dwelling.**

Reason: To ensure the proposal accords with Policy TAI 15 (Affordable Housing).

**(06) The commencement of the development shall not take place until there has been submitted to and approved in writing by the Local Planning Authority, a Construction Traffic Management Plan (CTMP). The CTMP shall include;**

- i) The routing to and from the site of construction vehicles, plant and deliveries.**
- ii) The type size and weight of construction and delivery vehicles to be used in connection with the construction of the development, having regard to the geometry, width, alignment and structural condition of the highway network along the access route to the site;**
- iii) The timing and frequency of construction and delivery vehicles to be used in connection with the development, having regard to minimising the effect on sensitive parts of the highway network and construction routes to the site, including regard for sensitive receptors e.g. schools and network constraints;**
- iv) Measures to minimise and mitigate the risk to road users in particular non-motorised users;**
- v) The arrangements to be made for on-site parking for personnel working on the Site and for visitors;**
- vi) The arrangements for loading and unloading and the storage of plant and materials;**
- vii) Details of measures to be implemented to prevent mud and debris from contaminating the adjacent highway network;**

**The construction of the development shall be completed in accordance with the approved plan.**

Reason: To ensure that safe operation of the highway and in the interests of protecting residential amenity in accordance with Policy TRA 4 of the JLDP. This is a condition precedent because any initial construction or demolition works could have a detrimental impact upon highways safety and/or residential amenity.

**(07) No occupation of the development shall commence until the access arrangement shown on drawing 'Proposed Site Layout' – A-00-03 has been provided.**

Reason: To ensure safe access in the interests of amenity and highways safety in accordance with Policy TRA 4 of the JLDP.

**(08) No dwelling shall be occupied until space has been laid out within the site (in accordance with drawing ref: A-00-03) for cars to be parked, and for vehicles to turn so that they may enter**

**and leave the site in forward gear, and that space shall thereafter be kept available for the parking of vehicles / such purposes in perpetuity.**

Reason: To ensure sufficient parking areas are made available in the interests of amenity and highways safety in accordance with Policy TRA 4 of the JLDP.

**(09) The areas allocated for parking, as indicated in the approved plans, shall be kept clear of obstruction, and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.**

Reason: To ensure sufficient parking areas are retained at all times in the interests of amenity and highways safety in accordance with Policy TRA 4 of the JLDP.

**(10) No development shall take place until details of a scheme to either protect the structural condition or divert the water main crossing the site have been submitted to and approved in writing by the local planning authority. The scheme shall include a detailed design, construction method statement and risk assessment outlining the measures taken to secure and protect the structural condition and ongoing access of the water main. No other development pursuant to this permission shall be carried out until the approved protection measures or diversion scheme have been implemented and completed. The approved scheme shall be adhered to throughout the lifetime of the development and the protection measures shall be retained in perpetuity.**

Reason: To protect the integrity of the public watermain and avoid damage thereto.

**(11) The development hereby approved shall be implemented only in accordance with the ecological mitigation and compensation measures described in Section 5 of the approved Ecological Assessment Report dated March 2020 and the Addendum letter dated 27 August 2020 by Greenwood Ecology and Countryside Management.**

Reason: To prevent ecological harm and to provide biodiversity gain in accordance with Policy AMG 5 of the JLDP.

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PS1, PS2, ISA1, ISA5, PS4, PS5, PS6, PS18, PS19, PCYFF1, PCYFF2, PCYFF3, PCYFF6, TAI 3 / 8 / 15, AMG5, and TRA 2

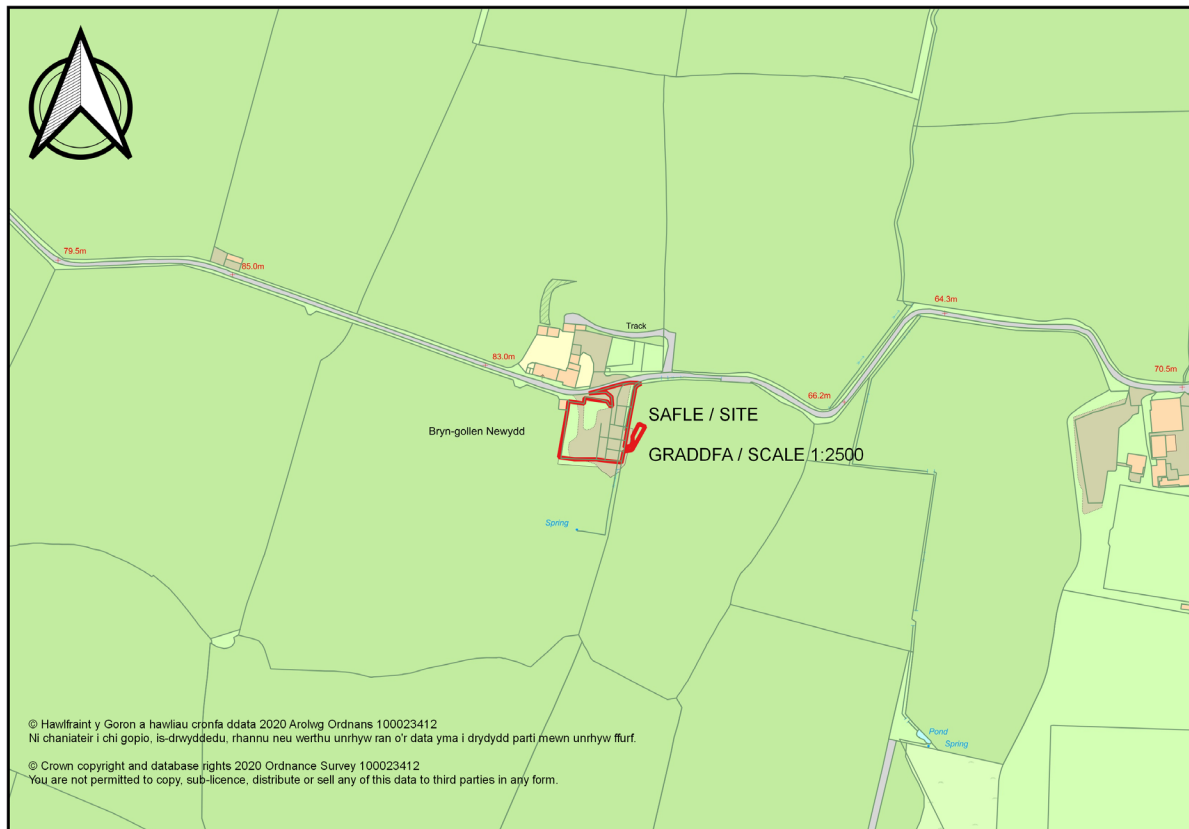
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

**Application Reference:** FPL/2021/198

**Applicant:** Mr Alun Lewis

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

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



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

**Recommendation:** Refuse

### Reason for Reporting to Committee

At the request of the former Local Member.

### Proposal and Site

The application is a repeat application of the one refused by the Committee at its meeting on 7 July last year (application FPL/2021/71 at item 7.2 of that Agenda) and for the retention of the existing structure that has been built without planning permission and the continuation of the works for the erection of a new holiday unit together with associated works.

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

## Key Issues

The key issues relating to this application are:

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

## Policies

### Joint Local Development Plan

Policy PCYFF 1: Development Boundaries  
 Policy PCYFF 2: Development Criteria  
 Policy PCYFF 3: Design and Place Shaping  
 Policy PCYFF 4: Design and Landscaping  
 Policy TWR 2: Holiday Accommodation  
 Policy TRA 2: Parking Standards  
 Policy TRA 4: Managing Transport Impacts  
 Policy AMG 5: Local Biodiversity Conservation  
 Strategic Policy PS 1: Welsh Language and Culture  
 Strategic Policy PS 4: Sustainable Transport, Development and Accessibility  
 Strategic Policy PS 5: Sustainable Development  
 Strategic Policy PS 14: The Visitor Economy

Planning Policy Wales (Edition 11, February 2021)

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

Supplementary Planning Guidance - Tourism Facilities and Accommodation - March 2021  
 Supplementary Planning Guidance - Replacement Dwellings and Conversions in the Countryside (September 2019)

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

## Response to Consultation and Publicity

Consultee	Response
Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service	No comments
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Requested further information in relation to proposed planting scheme. Following receipt of additional information confirmed details were acceptable.
Dwr Cymru Welsh Water	Comments
Ymgynghorydd Tirwedd / Landscape Advisor	No response to date

Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Comments
Iechyd yr Amgylchedd / Environmental Health	Comments
Priffyrdd a Trafnidiaeth / Highways and Transportation	No objection subject to conditions
Ymgynghorydd Treftadaeth / Heritage Advisor	No response to date
Draenio Gwynedd / Gwynedd Drainage	SuDS not required for the proposal
Cynghorydd John Griffith	Dim ymateb
Cynghorydd Kenneth P. Hughes	Requested that the application be referred to the Planning and Orders Committee in order to ensure that the applications complies with the relevant policies.
Cynghorydd Llinos Medi Huws	No response to date
Cyngor Cymuned Llanerchymedd Community Council	Support
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objection

### Relevant Planning History

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

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

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

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

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

FPL/2021/71 - Cais llawn ar gyfer cadw y strwythur presennol a pharhau a'r gwaith o godi uned gwyliau ynghyd a gwaith cysylltiedig ar dir yn / Full application for the retention of the existing structure and continuation of works for the erection of a new holiday unit together with associated works on land at Bryn Gollen Newydd, Llanerchymedd - Refused 09/07/2021

### Main Planning Considerations

## **Background**

The full background may be found in the report at item 7.2 of the Committee's agenda for the 7 July 2021 meeting. In summary:

- Planning permission reference 25C259B/VAR was granted for conversion of a building into a dwelling on the site;
- Following a complaint and investigation, a planning enforcement notice was issued in January 2020 alleging that the building to be converted had been demolished and that a new building was being erected;
- The enforcement notice was appealed and, save for extending the compliance period, the appeal was dismissed by the Planning Inspector. The Inspector concluded that the permission was for a conversion with minimal new-build, but that the structure on site was a completely new-build which had not been given permission;

Members will recall that planning application reference FPL/2021/71 (Full application for the retention of the existing structure and continuation of works for the erection of a new holiday unit together with associated works on land at Bryn Gollen Newydd, Llanerchymedd) was refused at the Planning and Orders Committee held on the 7th July, 2021.

The current application is a repeat/duplicate application to planning application reference FPL/2021/71 and proposes no amendments to the previously refused scheme.

Prior to this application (FPL/2021/198) being considered at the originally intended Planning and Orders Committee (1st September), the applicant submitted a Briefing Note (dated 31st August) outlining potential changes to the material considerations of the application.

These changes related to two recent appeal decisions, as follows:

- APP/L6805/A/21/3274088 – Cae'r Ddol, Bodorgan (determined 11 August 2021); and
- APP/L6805/A/21/3273668 – Capel Bryn Du, Bryn Du, Ty Croes (determined 17 August 2021).

These appeal decisions referred to by the applicant relate (in both cases) to applications for the re-use of previously developed land. Having reviewed the Appeals, it appears that the Inspector on both occasions has balanced the sustainability benefit of re-using previously developed land along with the economic benefit for the tourism sector against the sustainability of the sites in terms of accessibility.

By way of comparison, the proposal to which this application relates at Bryn Gollen Newydd, involves the development of a new build holiday accommodation (the site cannot be classified as previously developed land as the former agricultural use is exempt from the definition of previously developed land). Officers are therefore of the view that it is not possible to make a direct comparison of the proposal site and the appeal sites referenced.

Planning Policy is considered below in the context of development in the countryside, and sustainability.

### **Policy Context – New Development in the Countryside**

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

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

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

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

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

The application relates to a new build development, located within the open countryside, which is not sited on previously developed land. Consequently, the proposal does not conform to the requirements of criteria (i) above, and fundamentally conflicts with policy PCYFF 1 of the LDP. Since the proposal does not meet the requirements of criterion (i) of the policy, and conflicts with policy PCYFF 1, the proposal therefore cannot conform to the requirements of criterion (ii) of the policy. The proposal is also considered to conflict with the guidance contained in Planning Policy Wales (11th Edition).

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

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

### **Policy Context - Sustainability:**

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

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

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

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

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

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

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

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

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

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

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

Although proposals necessitating the use of private vehicles are not prohibited through the Joint Local Development Plan, Policy PS5 promotes the application of sustainable development principles in all new developments, including directing developments towards the most appropriate locations and reducing the need to travel by private transport. As stated above the site lies outside the settlement of Llanerchymedd, which lies a distance of 0.64 miles from the application site. The road network that serves the site from the village is an unlit single carriageway with no pedestrian footway. Whilst there is a local grocery shop and public house in the village, visitors to the site would be dependent on cars to visit surrounding areas.

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

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

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

## **Conclusion**

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



## **Recommendation**

That the application is refused for the following reasons:

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

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