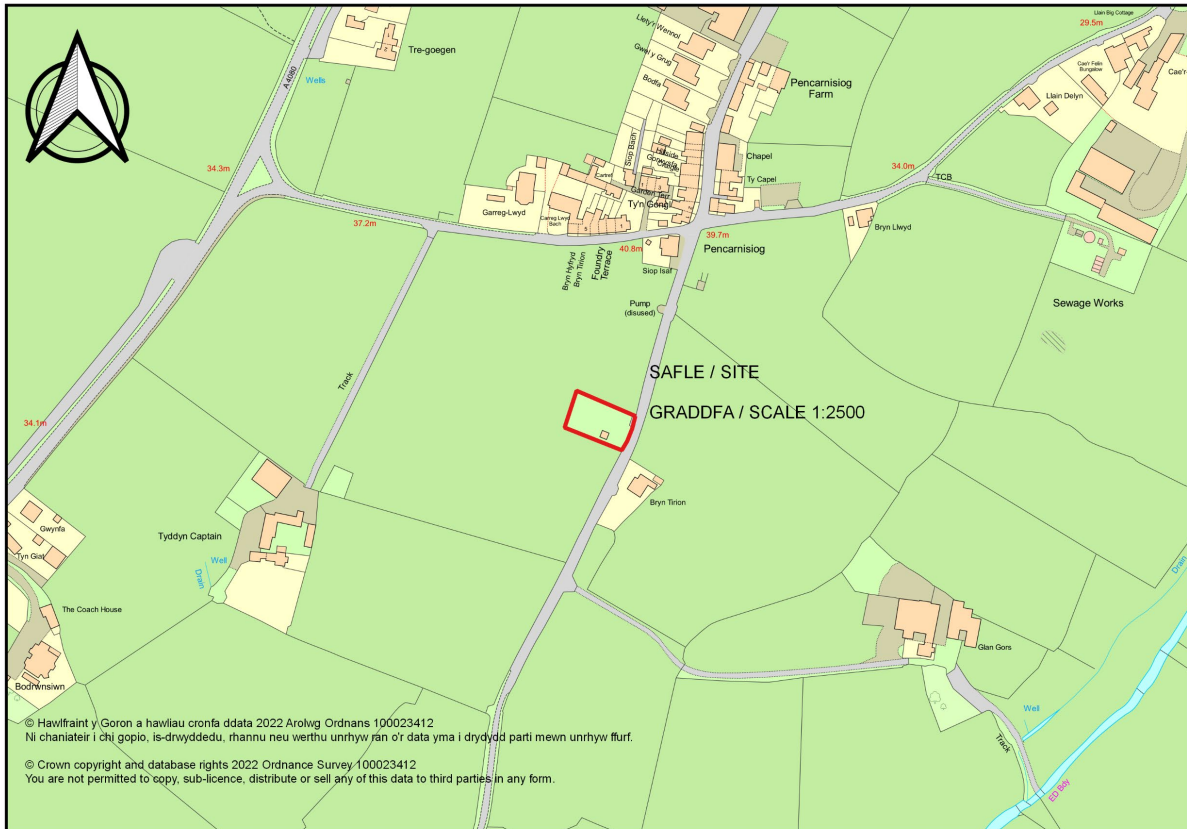


Application Reference: FPL/2022/116

Applicant: Peter Brooks & Ronnie Calderwood

Description: Full application for the erection of a dwelling together with associated development (so as to amend the design approved under appeal ref APP/L6805/A/11/2158396) at

Site Address: Gallt y Mwg (Wylfa), Ty Croes, Pencarnisiog



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

Recommendation: Permit

Reason for Reporting to Committee

The application is recommended for approval which is contrary to Policy PCYFF 1 of the Anglesey and Gwynedd Joint Local Development Plan.

Proposal and Site

The site is located in the open countryside of the Pencarnisiog area, which is not part of any development boundary or cluster settlement as defined under the Joint Local Development Plan. The site benefits from a safeguarded permission for a replacement dwelling, which received permission under application reference 28C108D. Site boundaries are currently defined by mature vegetation and stone walling, which

adjoin agricultural land surrounding the site. Access is afforded to the site via its own private access, leading from a un-named single width country lane.

The proposal is made for the erection of a new dwelling which seeks to amend the design of the previously approved and safeguarded consent.

Key Issues

The key issue is whether the proposal is an improvement to that originally approved under appeal reference APP/L6805/A/11/2158396.

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 19: Conserving and Where Appropriate Enhancing the Natural Environment

Technical Advice Note 12: Design (2016)

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

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Gwilym O Jones	No response
Cynghorydd Richard Dew	No response
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Outline of relevant policies
Prifffyrdd a Trafnidiaeth / Highways and Transportation	Condition requesting construction traffic management plan.
Cyfoeth Naturiol Cymru / Natural Resources Wales	No matters relevant to Natural Resources Wales
Cyngor Cymuned Llanfaelog Community Council	No response
Draenio Gwynedd / Gwynedd Drainage	No objection

Publicity was afforded to the application via the posting of personal letters to the occupiers of the neighbouring properties. The latest date for response to be made was the 25/05/2022. At the time of writing this report, no letters of representation had been received at this department.

Relevant Planning History

VAR/2019/55 - Cais o dan Adran 73A i ddiwygio amod (02)(cyffordd i gerbydau) ynghyd â gwneud i ffwrdd ag amodau (04)(Cartrefi Cynaliadwy), (05)(Cartrefi Cynaliadwy) a (06)(Cartrefi Cynaliadwy) o apêl cynllunio cyfeirnod APP/L6805/A/11/2158396 (Codi annedd newydd) er mwyn caniatáu i gynlluniau diwygiedig adleoli mynediad i gerbydau ar ôl i'r gwaith ddechrau ar y safle a gwneud i ffwrdd â'r codau ar gyfer y gofynion Cartrefi Cynaliadwy yn / Application under Section 73A for the variation of condition (02)(Vehicular junction) together with removal of conditions (04)(Sustainable Homes), (05)(Sustainable Homes) and (06)(Sustainable Homes) of planning appeal reference APP/L6805/A/11/2158396 (Erection

of new dwelling) so as to allow amended plans to relocate vehicular access after works have commenced on site and removal of codes for Sustainable Homes requirements at - Gallt y Mwg (Wylfa), Ty Croes, Pencarnisiog - [object Object] - Tynnwyd yn ôl / Withdrawn

Main Planning Considerations

The principle of a dwelling in this location has been established under previous planning permission 28C108D which has been safeguarded via a material start and therefore is valid in perpetuity. 28C108D was an application for the demolition of the existing dwelling on site together with the erection of a replacement dwelling on the footprint of the previous dwelling. A subsequent application was submitted (28C108F) for an amended siting of the dwelling to the rear of the plot and was refused on the grounds it would harm the character and appearance of the area. This decision was overturned at appeal and permission was granted for the siting of the dwelling to the rear of the plot. It is not clear whether or not the appeal permission has been safeguarded, however it is not considered sufficiently material in this case as this application seeks to site the dwelling for the most part in the footprint (slightly further back) of the safeguarded consent. Nonetheless, the appeal decision establishes the acceptability of the siting of a dwelling to the rear of the plot. Having established the lawfulness of the safeguarded consent on the site, the main considerations of this application are whether or not the proposal is considered acceptable when compared to the safeguarded consent.

The safeguarded consent is for a 1.5 storey bungalow with an internal floor area of 120m² and a finished ridge height of 7.9 metres. Primary finishing materials are noted as slate roofing, stone cladding and lime mortar rendering. This proposal seeks to obtain permission for a 2 storey property with a internal floor area of 165m² and a finished ridge height of 7.1m, with finishing materials proposed as slate, render and stone/cement board cladding.

The reduced height of the dwelling will ensure that the proposal is not more visually prominent than the safeguarded permission despite the larger massing resultant of the increased floor area. The proposed dwelling is similar in it's scale to the other dwellings in the locality and therefore it is not considered that the proposed dwelling would be harmful to the character of the area. The nearest neighbouring property is 25 metres to the south east of the site, however it is not anticipated that the scheme would impacts their residential amenity drastically worse than what would occur from the safeguarded scheme. It must be further considered that a highway separates the 2 properties.

Conclusion

Having considered the scheme against the safeguarded consent and the relevant policies of the current Joint Local Development Plan, the proposal is deemed to be acceptable and a betterment to the extant permission.

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/Block Plan Proposed / 2164-A3-02**
- **Proposed Elevations / 2164-A3-03**

- **Proposed Ground Floor Plan / 2164-A3-04**
- **Proposed First Floor Plan / 2164-A3-05**

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.

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, PS 19.

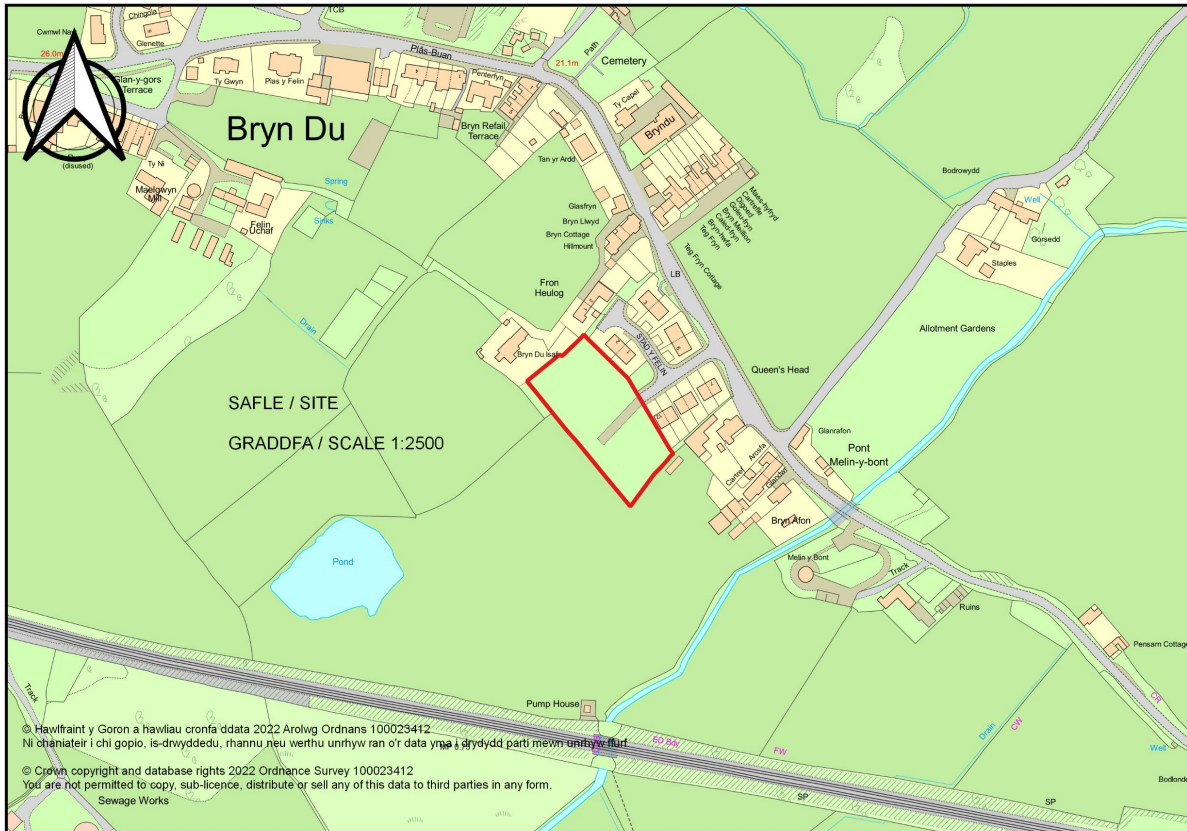
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2020/149

Applicant: Grwp Cynefin

Description: Full application for the erection of 8 affordable dwellings together with the creation of a new vehicular access and associated development on land at

Site Address: Stad y Felin, Llanfaelog



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

Recommendation: Permit

Reason for Reporting to Committee

The application is reported to the committee as it is recommended for approval, contrary to the provisions of policy TAI 16 of the Anglesey and Gwynedd Joint Local Development Plan.

Proposal and Site

The site is located adjoining the rural village of Ty Croes, which is defined as a cluster settlement under the Joint Local Development Plan. Site access is provided via the residential estate road of the existing housing estate of Stad y Felin, which the proposal site directly adjoins and will form an extension thereto. The proposal site is currently an unused area of scrubland, with its boundaries to the rear of the site

defined by mature hedgerow and the boundaries with the residential dwellings to the north and west defined by timber fencing. The site does not undulate or vary in gradient/elevation from the surrounding properties.

The proposal is made for the erection of 8 affordable dwellings together with associated estate road, landscaping and drainage infrastructure.

Key Issues

The key issues are if the proposal is considered acceptable in policy terms, its effect on residential amenity and other material considerations.

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 TAI 6: Housing in Clusters
 Policy TAI 8: Appropriate Housing Mix
 Policy TAI 16: Exception Sites
 Policy TAI 15: Affordable Housing Threshold & Distribution
 Policy TAI 17: Safeguarding Existing Gypsy and Traveller Sites
 Policy AMG 5: Local Biodiversity Conservation

Response to Consultation and Publicity

Consultee	Response
Strategol Tai / Housing Strategy	Agree that there is local need for affordable dwellings and that there are no opportunities to meet need in development boundaries.
Dwr Cymru/Welsh Water	No objection
Gwasanaeth Addysg / Education Service	Financial contribution required
Priffyrdd a Trafnidiaeth / Highways and Transportation	Conditions
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objection
Cynghorydd Richard Dew	No response
Cynghorydd Gwilym O Jones	No response
Cyngor Cymuned Llanfaelog Community Council	No response
Diogelu – Y Weinyddiaeth Amddiffyn / MOD Safeguarding	Satisfied with drainage detail.
Ymgynghorydd Tirwedd / Landscape Advisor	Landscaping detail required (Agent in process of preparing information)
Network Rail	No objection

Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Scheme is contrary to policy TAI 6.
Ymgynghorydd Treftadaeth / Heritage Advisor	Proposals are unlikely to have a significant adverse impact on the setting of the listed buildings.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Recommend further landscaping detail and bat tubes

The proposal was initially afforded publicity by the posting of personal letters to occupiers of surrounding properties. No objections were received in response to these letters. Following recent guidance from the policy department, it has come to light that the proposal is a departure application and therefore requires additional publicity. In addition to personal letters, a site notice has been placed in the vicinity of the site and an advert has been placed in the local press. The latest date for representations to be made in response to these are the 03/08/2022, which surpasses the date of the committee. However should the members resolve to approve the application, no decision will be released until the relevant publicity periods have expired.

Relevant Planning History

None

Main Planning Considerations

Principle of Development

Bryn Du has been allocated as a cluster under the provisions of the Joint Local Development Plan and therefore policy TAI 6 is applicable. Policy TAI 6 supports new housing in clusters subject to adherence with it's criterion as below:

1. The need for an affordable house for local need (in accordance with the Glossary of Terms) has been proven;
2. The site is an infill site between buildings coloured on the relevant Inset Map, or is a site directly adjacent to the curtilage of a coloured building;
3. The development is of a scale that is consistent with the character of the settlement;
4. The proposal will not create an intrusive feature in the countryside, and will not introduce a fragmented development pattern, nor create a ribbon development contrary to the general development pattern of the settlement;
5. The size of the property reflects the specific need for an affordable dwelling in terms of the size of the house in general and the number of bedrooms;
6. Because of the more sensitive rural location, the development must utilize the natural features of the site in the best way and retain any natural features present at the peripheries of the site or on its boundary that are worth retaining;
7. That mechanisms restrict the occupancy of the dwelling both on first occupation and in perpetuity to those who have a need for an affordable dwelling.

Whilst not strictly applicable to development in clusters, TAI 16 also sets a useful background to the policy context. Specific attention is drawn to paragraph 6.4.111 which states:

'Due to the rural nature of the area, exception sites will be considered for all the settlements identified in the Plan. They should however be of a scale compatible to the role of the settlement. The only exception to this is if justification is provided to explain how a proposal serves a wider area than the settlement itself e.g. due to lack of opportunities in other settlements within the same area. Sites adjacent to the boundary should not form an unacceptable intrusion into the countryside or create a fragmented development pattern'

Policy TAI 6 stipulates that in the identified clusters, new housing units must be affordable housing units that meet local needs. The Joint Local Development Plan Glossary of Terms defines local need in relation to Clusters which are people in need of an affordable house who have resided within the Cluster or in the surrounding rural area for a continuous period of 5 years or more, either immediately before submitting the application or in the past. The housing needs assessment submitted with the application identifies that there are 54 households on the Social waiting list in close proximity to the site, with a further 35 households on the Tai Teg register. However, it is not clear from the assessment whether these households would satisfy the definition of local need as outlined above i.e. within 6km but outside development boundaries.

Having established that it is unclear if there is a local need within the cluster of Bryn Du and the surrounding rural area for 8 affordable dwellings, the agent provided additional information which shows that there is a significant shortfall of affordable units in the wider surrounding area and that there are limited opportunities to deliver these units within the development boundaries of Rhosneigr, Llanfaelog and Pencarnisiog. Whilst it has been confirmed by the council policy and legal departments that policy TAI 16 is not applicable to developments in clusters, it had been agreed that the information provided by the agent is sufficient in demonstrating the need for affordable units in the wider area and that there was limited opportunities to deliver these as mentioned above. Section 38(6) of the Compulsory Purchase and Planning Act specifies that proposals must be determined in accordance with the relevant development plan policies unless other material considerations indicate otherwise. Having considered all the information provided by the agent, the local planning authority are satisfied that the affordable needs of the wider area combined with the limited opportunities to address this need within and adjoining the development boundaries are sufficient material considerations to allow recommendation of approval for the scheme contrary to the provisions of TAI 6.

Having established the need for the development, other criterion of TAI 6 can be addressed. The proposal site directly adjoins the residential curtilage of the dwelling known as Bryn Du Isaf which is shown shaded in red on the relevant inset map of the Joint Local Development Plan. As such, it is considered the proposal adheres with criterion 2 of the policy. The proposal consists of 8 affordable units, which is considered a minor scaled development which is appropriate considering the scale of Bryn Du as a settlement. The site is an extension to an existing housing estate and does not incur drastic additional visual impacts as it does not protrude further into the open countryside. Whilst it is acknowledged the proposal does not constitute infill development in policy terms, it is considered that the development does infill the built form of the settlement, filling the gap between the residential curtilages of Bryn Du Isaf and Bryn Afon. The retention and enhancement of the existing native hedge defining the rear of the site will further ensure the visual qualities of the area are maintained. Due to the above, it is considered that criterion 3,4,5 and 6 of TAI 6 have been complied with. A section 106 agreement will be sought which restricts the occupancy of the dwelling to those in affordable need only as is required by the final criterion of the policy.

Further to the above, development in clusters must also be considered against the indicative housing supply allocated for clusters under the plan. The indicative housing supply for all clusters within Anglesey for the Plan period (2011-26) is 105 units. In the period 2011-19, a total of 121 units have been completed in all the identified clusters within Anglesey. The windfall sites landbank for all these settlement i.e. sites with existing planning permission, in April 2019 was 80 units with 42 of these likely to be developed. Developing all the units that have planning permission within the landbank would mean that the Clusters in Anglesey would meet its housing provision. Strategic Policy PS 17 'Settlement Strategy' and Table 14 within the Joint Local Development Plan ('Distribution of Housing Supply within the Plan') specify how Clusters such as Bryn Du contribute towards 25% of the Plan's housing growth level i.e. the growth that is expected from villages, clusters and the open countryside. Whilst an indicative supply figure is provided for the Clusters in Anglesey, it is important to consider the wider situation across the Plan area - especially in terms of the Villages, Clusters and Open Countryside hierarchy level. The provision in some of the villages within this hierarchy level could be slightly lower than their indicative figure, whilst it could be higher for other villages and/or for the clusters as a whole. Due to the above, the approval of this site can be supported against the overall provision anticipated within the Villages, Clusters & Open

Countryside category. However, in accordance with criterion 1(b) of Policy PS1 'The Welsh Language and Culture', as this development, collectively, provides more than the total indicative housing provision for Clusters in Anglesey, a Welsh Language statement should be submitted with the application. Such statement has been provided in support of the application and was considered acceptable by the joint planning policy unit.

Policy TAI 8 requires that proposals contribute to improving the balance of housing stock and meet the identified needs of the whole community. The proposal consists of 2 and 4 bed properties, which corresponds with the local needs identified by the local authority housing department in their response to the proposal. As such, it is considered that the proposal complies with policy TAI 8.

Design

The proposed dwellings are a mixture of 2 storey properties and bungalows, which reflects the character of the existing housing estate which the development adjoins. The dwellings will utilise the following finishing materials:

- Slate roofing
- Timber/stone cladding
- Off white render
- Grey UPVC windows/doors

These materials will also reflect those used in the existing estate and therefore it is not considered that the design of this proposal would harm the visual amenities of the area. Further to this, the materials and form of the dwellings will respect and replicate the character of the local area and would not introduce any new design features to this semi rural landscape. As such, it is considered that the scheme is consistent with the aims and objectives of policies PCYFF 3 and PCYFF 4 of the Anglesey and Gwynedd Joint Local Development Plan.

Drainage

The proposal intends to dispose of foul water via connection into the public sewer system, with surface water discharged into a private SUDs system. Concern was raised initially by the Ministry of Defence in relation to the SUDs features of the site as it lies in a bird strike zone, however following additional information from the agent, the Ministry of Defence withdrew their concerns. Dwr Cymru had no objections to the foul water arrangements and therefore the proposal is considered acceptable in terms of its drainage arrangements.

Ecology

Under policy AMG 5 of the Joint Local Development Plan and the councils duty under The Environment (Wales) Act, all proposals must demonstrate a net gain to biodiversity. Proposed plans indicate that the scheme includes the provision of bat tubes on the gables of the dwellings as was recommended in the mitigation and enhancement section of the accompanying ecological report. As such, it is considered that biodiversity net enhancement will be achieved.

Conclusion

Whilst the proposal may not strictly accord with the relevant policy of the development plan, material considerations indicate that approval should be recommended as the scheme will meet an identified need for affordable 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.

- Location Plan / 001
- Drainage Layout / P01.3
- 4P2B Bungalow / 046 D
- 7P4B House / 071 C
- Street Elevations / 005 A
- Proposed Site Plan / 003 C
- Proposed Boundary Treatment Plan / 004
- 4P2B House - Rear Lounge / 052 C

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

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

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

(04) The car parking accommodation shall be completed in full accordance with the details hereby approved 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.

(05) Before any development commences, plans shall be submitted and approved by the Local Planning Authority in consultation with the Highway Authority showing details of the following reserved matters:

- The proposed road layout and typical construction details based on ground investigation information to verify its adequacy.
- The location and the type of street lighting furniture.

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

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

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

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

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

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

(08) The site shall be landscaped strictly in accordance with [PLAN TO FOLLOW] 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.

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 6, TAI 8, TAI 15, TAI 16, TAI 17, PS 19, AMG 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.