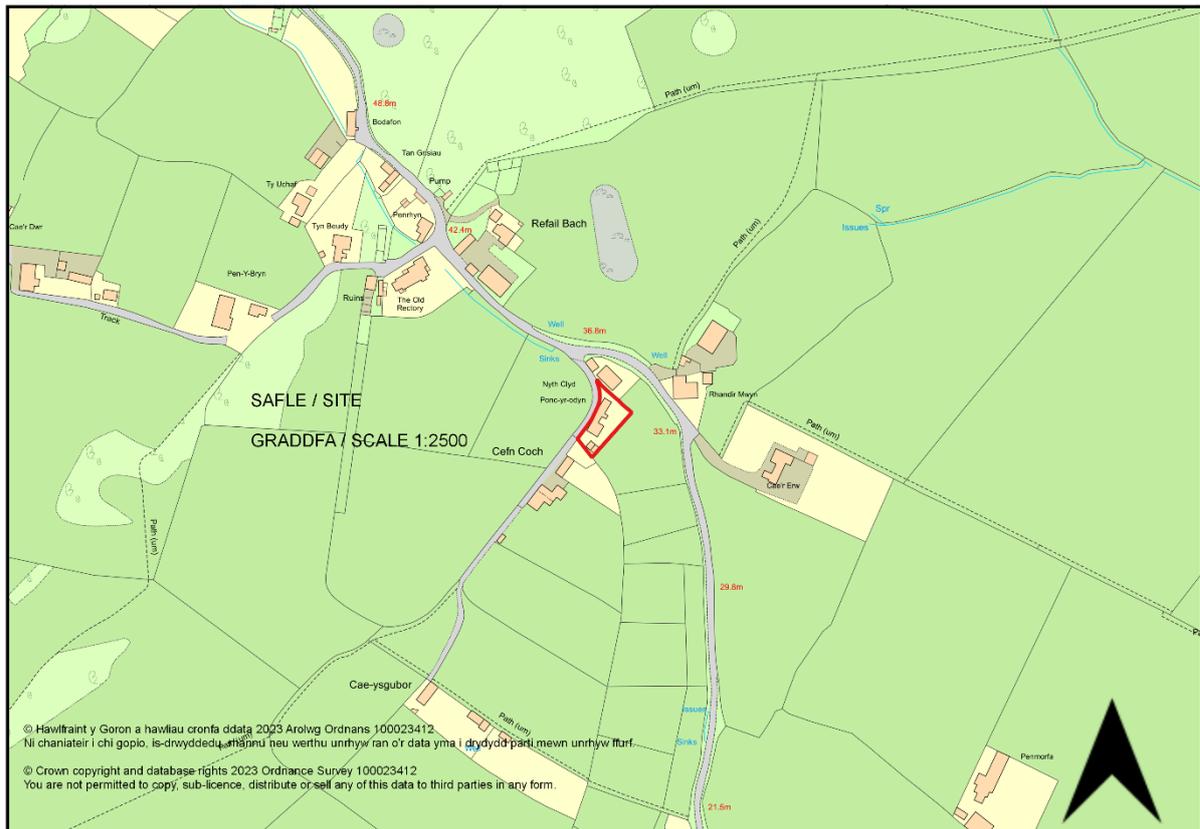


Application Reference: HHP/2022/313

Applicant: Eurig & Sarah Evans

Description: Cais llawn ar gyfer addasu ac ehangu ynghyd a codi balconi yn / Full application for alterations and extensions together with the erection of a balcony at

Site Address: Ponc Rodyn, Llangristiolus



## Report of Head of Regulation and Economic Development Service (Gwenda Baynham)

Recommendation: Permit

### Reason for Reporting to Committee

At the request of Councillor Geraint ap Ifan Bebb due to local concern surrounding the application

### Proposal and Site

The application is for alterations and extensions together with the construction of a first floor balcony.

The property is a detached two storey dwelling situation within its own grounds and lies in an open countryside location

### Key Issues

They applications key issues are;

- i. Design and Impact on surrounding area

ii. Impact on amenities of neighbouring properties

## Policies

### Joint Local Development Plan

Policy PCYFF 2: Development Criteria

Policy PCYFF 3: Design and Place Shaping

Technical Advice Note 12: Design (2016)

Planning Policy Wales (Edition 11, February 2021)

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

### Response to Consultation and Publicity

Consultee	Response
Cynghorydd Geraint ap Ifan Bebb	Call-in due to public concern
Cynghorydd Nicola Roberts	No response at the time of writing this report
Cyngor Cymuned Llangristiolus Community Council	Comments: consideration of the fact that the balcony has no impact on neighbors and will not overlook other properties. The balcony will have a 1.8m glazed balustrade to alleviate any overlooking

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of any representation was the 07/12/2022. At the time of writing this report, no letters of representations had been received at the department.

### Relevant Planning History

36C69 Newidiadau ac estyniadau i / Alterations and extensions to Ponc-yr-Odyn, Llangristiolus Permitted 12/11/1987

36C69A Codi ystafelloedd byw ychwanegol ar gyfer rhieni mewn oed yn / Erection of additional living accommodation for elderly parents at Ponc-yr-Odyn, Llangristiolus Permitted 04/07/1996

### Main Planning Considerations

The applications main issues are;

- i. Design and Impact on surrounding area
- ii. Impact on amenities of neighbouring properties

i. Design and Impact on surrounding area - Policy PCYFF3 states that proposal must be expected to demonstrate a high quality design and should complement and enhance the character and appearance of the site.

The proposed rear extension extends 2.2 meters outwards from the existing dwelling. The extension measures 6.7 meters in width in order to extend the kitchen /living area. A balcony will be erected above the ground floor extension which will lead out from the main bedroom.

There is a distance of approximately 12m to the side elevation of the adjoining neighbouring property known as Nyth Clyd. The balcony will have a 1.8m glazed balustrade to alleviate any overlooking.

The proposal is modest in size and the applicant has sufficient land to accommodate the proposed scheme without resulting in the over-development of the site. The proposed design and materials are also acceptable and are of a high quality, which will complement and enhance the current dwelling.

Having reviewed other householder proposals in this area, it does not appear that the scale and design of the proposal is uncommon in the context of local character and it is not considered that the scheme would introduce any new architectural features contrary to the existing appearance of the street.

It is considered that the design of the proposal fits in with the immediate area in terms of scale and design.

**PCYFF 2 of the Anglesey and Gwynedd Joint Local Development Plan which states proposals will be supported providing they are not to the detriment of the amenities of the neighbouring properties.**

The proposed balcony will face towards the applicants garden and in order to alleviate any overlooking to Nyth Clyd a 1.8m balustrade will be erected along the side elevation of the balcony. It is considered that the overall design will not have a detrimental impact on the surrounding area or upon the amenities of neighbouring properties and the development complies with the relevant planning policies

### **Conclusion**

The proposal is considered a small-scale development that will provide additional living space within the property. The proposal is considered subservient and will integrate into the site with matching finish materials. Given its siting in relation to neighbouring properties, and the existing boundary treatments, it is not considered that the proposal will result in detrimental impact on the privacy and amenities of neighbouring properties or locality.

### **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 - Drg 1 - 09/11/2022**
- **Proposed Site Plan - Drg 3 - 09/11/2022**
- **Proposed Floor Plans and Elevations - Drg 5 - 21/12/2023**

Reason: To ensure that the development is implemented in accord with the approved details. The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF 2, PCYFF 3

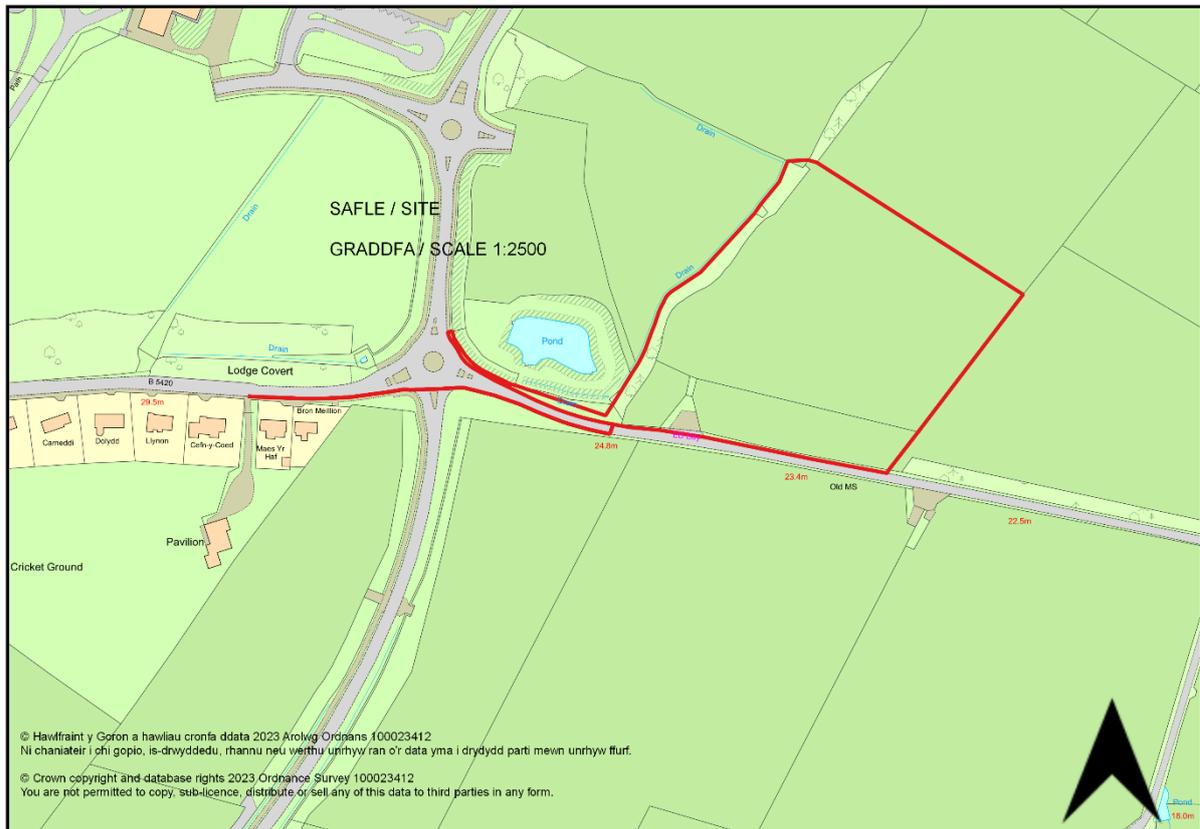
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2022/173

Applicant: James France-Hayhurst

**Description:** Full application for the change of use of agricultural land to site 32 holiday lodges, reception building, construction of new vehicular access, construction of new on site roads and parking areas and associated works on land adjacent to

**Site Address:** Lon Penmynydd, Llangefni



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

**Recommendation:** Permit

### Reason for Reporting to Committee

The planning application has been called into the planning committee by three local members due to the following:-

- Local concern and its location near Ysgol y Graig and the College.
- Increase in traffic,
- Noise
- Pollution
- Gorse land and not adequate to develop
- Impact on Ecology

### Proposal and Site

The proposed development is located in an open countryside location. The proposal involves the development of 32 holiday lodges, reception building, construction of a new vehicular access,

construction of new on site roads and parking areas together with associated works such as landscaping.

The application site is currently an open field used for grazing animals and is defined by existing trees and hedges. There is an existing access/large pull in located off the Penmynydd Road and this access will be increased and improved. The site is located on the outskirts of Llangefni town and a short distance away from the Llangefni Link Road.

### **Key Issues**

The key issues are as follows:-

- Principle of development and Policy Considerations
- Location and relationship of the development with its surroundings
- Sustainability
- Highway Considerations
- Impact on adjacent residential properties
- Welsh Language
- Landscape/Ecology and Biodiversity

### **Policies**

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

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 6: Alleviating and Adapting to the Effects of Climate Change  
Strategic Policy PS 14: The Visitor Economy  
Policy PCYFF 1: Development Boundaries  
Policy PCYFF 2: Development Criteria  
Policy PCYFF 3: Design and Place Shaping  
Policy PCYFF 4: Design and Landscaping  
Policy PCYFF 5: Carbon Management  
Policy PCYFF 6: Water Conservation  
Policy TWR 3: Static Caravan and Chalet Sites and Permanent Alternative Camping Accommodation  
Policy AMG 5: Local Biodiversity Conservation  
Policy AT 4: Protection of Non-Designated Archaeological Sites and their Setting  
Policy TRA 1: Transport Network Developments  
Policy TRA 2: Parking Standards  
Policy TRA 4: Managing Transport Impacts

Planning Policy Wales (Edition 11, February 2021)

Technical Advice Note 5: Nature Conservation and Planning (2009)  
Technical Advice Note 11: Noise (1997)  
Technical Advice Note 12: Design (2016)  
Technical Advice Note 13: Tourism (1997)  
Technical Advice Note 18: Transport (2007)  
Technical Advice Note 20: Planning and the Welsh Language (2017)  
Technical Advice Note 23: Economic Development (2014)  
Technical Advice Note 24: The Historic Environment (2017)

Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)  
Supplementary Planning Guidance - Planning and the Welsh Language (2007)  
Supplementary Planning Guidance - Tourism Facilities and Accommodation - March 2021  
Supplementary Planning Guidance Holiday Accommodation (2007)  
Supplementary Planning Guidance Maintaining Distinctive and Sustainable Communities (July 2019)

## Response to Consultation and Publicity

Consultee	Response
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Standard Policy Comments in relation to the Joint Local Development Plan.
Iechyd yr Amgylchedd / Environmental Health	Comments in relation to hours of working.
Ymgynghorydd Tirwedd / Landscape Advisor	Conditional Approval.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Conditional Approval.
Priffyrdd a Trafnidiaeth / Highways and Transportation	Conditional Approval.
Dwr Cymru Welsh Water	Conditional Approval.
Ymgynghoriadau Cynllunio YGC	No record of flooding and the proposal will require a SuDS approval to manage on-site surface water..
Cyfoeth Naturiol Cymru / Natural Resources Wales	Supportive of application with appropriate worded condition to ensure ecological works are carried out.
Swyddog Hawliau Tramwy Cyhoeddus/ Public Rights of Way Officer	Comments in relation to position of the public right of way.
Cynhorydd Geraint Ap Ifan Bebb	Call in requested due to local concern and the location near Ysgol y Graig and Penraig College
Cynhorydd Nicola Roberts	Call in requested due to local concern.
Cynhorydd Non Lewis Dafydd	No response at the time of writing the report.
Cynhorydd Paul Charles Ellis	Call in requested due to local concern.
Cynhorydd Dylan Rees	No response at the time of writing the report.
Cyngor Tref Llangefni Town Council	Recommendation to refuse the application. Concern on impact on the town. The development too much for the needs of the town - need more affordable housing and flooding concerns.
GCAG / GAPS	Conditional Approval.
Rheolwr Polisi a Strategaeth / Policy & Strategy Manager	Comments in relation to specific conditions to ensure Welsh signage and considerations of the Welsh Language.

The proposal has been advertised through the posting of a notice on site together with the distribution of personal letters of notification to the occupiers of neighbouring properties. A notice was also placed within the local newspaper. The latest date for the receipt of any representation was the 04/01/2023. At the time of writing the report a total of 39 letters had been received, some letters with multiple names and addresses. The main comments as follows:-

- Existing surface and rain water issues and flooding exacerbating flooding issues at RSPB reserve at Cors Ddygau which leads to Malltraeth Marsh SSSI.
- Over-provision of this type of development on Anglesey
- The development will impact future generations to farm the land
- No need for this type of development, more affordable housing needed

- Road safety and increase in traffic
- Impact on ecology
- The development is not in the correct place
- Impact on Welsh Language
- Expanding Llangefni boundary into the open countryside
- Set a precedent for further development
- Not sustainable location
- Chalet site not suitable for the area
- Impact on the countryside (urban intrusion)
- No benefit to the town or community
- Impact on public footpath
- Ash dieback will impact screening of the site
- Noise and general disturbance to neighbouring properties
- Visual Impact
- Highway Survey carried out during lockdown and midwinter and figures not true reflection of traffic volumes and speeds
- Greater demand on GP Surgeries and Hospitals
- Hedgerows destroyed
- Visibility inadequate

In response to the main objections:-

- NRW and Welsh Water are satisfied with the development, the site is not in a C2 flood zone and any surface water will be dealt with via the SuDS authority to ensure the proposal deals with surface water appropriately.
  - It is not considered that there is an overprovision of this type of development in the Llangefni area.
  - The agricultural grade ALC has been considered in the main body of the report.
  - This is a planning application for holiday units; therefore it is not possible to consider affordable housing as part of the planning application.
  - The Highways Authority has confirmed that they are satisfied with the information submitted with the planning application and have recommended conditional approval.
  - The ecological advisor and NRW are satisfied with the ecological information submitted with the planning application and several conditions will be placed on the permission to ensure the development is carried out in accordance with the ecological and landscaping information received.
  - Each planning application is considered on its own merits and in accordance with the policies of the JLDP
  - Consideration has been given to the location of the site and whether it is a suitable site to develop for this type of development in the main body of the report.
  - It is considered that the site is in a highly sustainable location, this is explained further in the main body of the report.
  - Visual impact is also addressed in the main body of the report as well as the landscaping scheme and the need to remove the hedge at the front of the site for adequate visibility.
  - The development may have greater demands on hospitals but this alone is not a reason to refuse the planning application
  - Impact on neighbouring properties has been considered in the main body of the report.
- The public footpath will not be affected by the proposed development

### **Relevant Planning History**

32C263J/SCR - Screening Opinion - Barn sgrinio ar gyfer lleoli 128 o gabanau gwyliau, 66 o unedau glampio a defnyddio'r tir ar gyfer lleoli oddeutu 119 o garafanau/faniau gwerysyla (lleiniau caled), darparu blociau mwynderau/derbynfa, gwaith tirlunio, ffurfio lonydd mynediad yn Dafarn Newydd, Llangefni – EIA required – 22/02/2019

SCR/2021/29 - Screening opinion for the use of agricultural land for the siting of 32 holiday lodges, construction of new vehicular access and private roads, erection of a reception building, installation of foul water and surface water drainage systems together with soft landscaping on land at - Dafarn Newydd, Lon Penmyndd Road, Llangefni - EIA Not Required – 20/07/2021

## **Main Planning Considerations**

### **Proposal**

This is a full application for the change of use of agricultural land to site 32 holiday lodges, reception building, construction of new vehicular access, construction of new on site roads and parking areas and associated works on land adjacent to Dafarn Newydd, Llangefni. The proposal was screened under planning application reference SCR/2021/29 and it was deemed not to constitute EIA development by the Local Planning Authority.

The main elements of the planning application are summarised below:-

- \* 32 single storey lodges with associated decking and off-road parking areas for 2 cars per unit
- \* Reception Building
- \* Improvements to the existing access to serve the site
- \* Pedestrian Link onto the existing Llangefni Link Road
- \* Formation of internal access road and field access to the adjoining land
- \* Landscaping Scheme
- \* Installation of a surface water drainage system and surface water drainage pond
- \* Pumping station to connect the proposal to the existing sewer
- \* Erection of 2 no low stone walls either side of the entrance with planting behind

### **Principle of Development**

In accordance with section 38(6) of the Planning and Compulsory Purchase Act (2004) it is necessary to ensure that planning applications conform to the adopted development plan unless material planning considerations indicate otherwise. The development plan comprises the JLDP and other material planning considerations will include Planning Policy Wales (Edition 11) and the TAN's listed previously in this delegated report in addition to the Supplementary Planning Guidance.

This is a major planning application which has been subject to statutory pre-application consultation process. The requirement to carry out a pre-application consultation is set out in Section 17 of the Act and the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 as amended by the 2016 Order

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

Paragraph 4.1.11 of Planning Policy Wales (PPW) 11 states that it is Welsh Government policy to require the use of sustainable transport hierarchy in relation to new development, which prioritises walking, cycling and public transport ahead of the private motor vehicles, this is re-iterated in paragraph 3.2 of TAN 18.

The SPG Tourism lists factors which will be assessed in determining whether a development is high quality under paragraph 3.1.3. One of the considerations includes sites being in a sustainable location i.e. within or close to existing settlements and not lying in open countryside unless there is robust justification for this.

In terms of the sustainability credential of the proposed development having regard to the policy considerations described above the following are considered material considerations. The planning application is made for a major development of 32 units in an open countryside location. The application site encompasses approx 2.6 hectares of greenfield agricultural land, according to ALC survey information the land is mostly grade 3b with only a small area of the corners of the site in grade 3a. Criterion 6 of Policy PS6 'Alleviating and Adapting to the Effects of Climate Change' aims to

protect the best and most versatile agricultural land and Planning Policy Wales states Grade 1, 2 and 3a agricultural land should only be developed if there is an overriding need for the development.

It is the LPA's view that the proposal is well related to Llangefni town's public transport network. The site is approximately 1.48km away from the centre of Llangefni. The distance from the proposed development to the nearest bus stop is 0.53km and within easy reach of numerous footpaths and the cycle path is within 1.69km of the site. The proposed development is in a highly accessible and sustainable location within walking distance to Llangefni town centre which provides all the necessary needs of visitors as well as close to key transport routes. The proposal provides a public footpath from the development to the existing public footpath on the link road. The proposal therefore complies with Policies PS4, PS5 and advice contained in PPW and TAN18.

The scope of policy TWR 3 of the JLDP is relatively narrow in that it states that outside Areas of Outstanding Natural Beauty "AONB's" and Special Landscape Areas "SLA's" static caravan or holiday developments will only be granted where the development complies with the criterion i. to iii.

Criterion i. requires it can be demonstrated that the proposed development doesn't lead to a significant intensification in the provision of static caravan, chalet or permanent alternative camping sites in the locality. The supporting text of the policy explains that the proliferation of static caravan and chalet parks has had a detrimental impact on the appearance of the landscape. The JPPU consultation also refers to paragraph 6.3.69 of the JLDP which explains that the Isle of Anglesey, Gwynedd and Snowdonia National Park Sensitivity and Capacity Study (Gillespies 2014) "Capacity Study" concluded that in some areas there may be very limited capacity for static caravan/chalet park developments typically comprising of very infrequent, very small scale, well sited, high quality developments. The Capacity Study defined each "Landscape Character Area" which were used to determine the overall capacity in an area for caravan and chalet park developments. The proposed development falls within LCA17: West Central Anglesey. The Landscape Sensitivity and Capacity study states that the indicative overall capacity in LCA17 "Outside the AONB and SLAs it is considered there may be some capacity for very small to small scale developments, and/or limited capacity for well-designed and sensitively sited larger scale developments, which should, in all cases relate well to the existing built environment/urban landcover". The study defines very small developments as up to 10 units, small developments as 11-25 units and large scale development as 76 – 200 units (typically below 15ha in area).

Due to the scale of the proposed development (32 units), the proposal is classified as being 'large scale'. Therefore the proposal needs to demonstrate that the development relates well to the existing built environment/urban landcover. A Landscape and Visual Impact Assessment has been submitted in support of the planning application which outlines that the visual impact of the proposal would be negligible.

The second criterion of policy TWR 3 requires that the proposed development is of a high quality in terms of design, layout and appearance, and is sited in an unobtrusive location which is well screened by existing landscape features and/or the units can readily be assimilated into the landscape in a way which does not significantly harm the visual quality of the landscape.

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

In terms of the first part of the criterion which deals with design, layout and appearance it is material that as explained in the preceding section the proposal entails a major development and that the application site has an area of nearly 2.6ha of agricultural land.

The second part of criterion ii requires that the application site is located in an unobtrusive location which is well screened by existing landscape features and/or units can readily be assimilated into the landscape in a way which does not significantly harm the visual quality of the landscape. A definition of an unobtrusive location can be obtained in the JLDP at paragraph 6.3.88 (albeit in the context of policy TWR 5) as one which is well screened by existing landscape features and/or where touring units can be readily assimilated into the landscape without the need for excessive man made features such as hard-standing and fencing. This definition is also referred to in the SPG Tourism as being applicable.

The Local Planning Authority has been working with the applicant to ensure that an effective landscaping scheme can be achieved. Part of the existing bund/hedge at the front of the site will need to be removed and set back to ensure the site has the required visibility splay. To ensure an adequate landscaping scheme was achieved 2 chalets were removed from the proposal so that the applicant could plant an effective woodland to the Northern boundary adjacent to the Penmynydd Road. The proposal also includes tree planting around the site, wildflower meadow, amenity grass, infilling hedges where required as well as woodland planting to the rear boundary. The planting scheme is achievable and will have a positive impact on biodiversity and ecology.

The site was surveyed for protected species and none were found, there is potential for nesting birds to be present within the site, as well as hedgehogs, and the hedgerows have potential value as flight paths for bats with the mature trees providing possible bat roosts. The protected species survey recommends a mitigation strategy to ensure that bats are not harmed during construction and that any lighting scheme is suitably controlled. Similar measures are set out to avoid impacts upon hedgehogs and nesting birds during construction.

The site is set within 1km of two wildlife sites and a restored ancient woodland. There is no direct impacts upon these sites.

The proposal includes mitigation and enhancements for loss of grassland within the site with a new landscaping and woodland planting scheme. There will be a requirement to remove some trees and hedgerows to ensure adequate visibility out of the site, this will be mitigated through the comprehensive woodland planting scheme proposed.

Some trees within the site will be felled as per the detailed Arboricultural Impact Assessment, the loss will be compensated through the planting of new trees and landscaping within the site

Criterion 1iii. of policy TWR 3 requires that the site is close to the main highway network and that adequate access can be provided without significantly harming landscape characteristics and features. The access is also on the main highway network and no objections are raised by the council's Highways and on this basis the proposal is considered compliant with policy. The proposal will include relevant Highway Conditions.

## **Drainage**

The Drainage information submitted with the planning application stated that the land is not suitable for soakaways therefore, surface water runoff will follow the natural topography of the site and discharge to the watercourse. The proposal also includes attenuation storage to restrict surface water runoff generated across roofs and hardstandings. Due to the scale of the proposal it will be necessary for the applicant to provide an application to the SAB for approval prior to the commencement of the building work.

The proposal will be connected to Welsh Water's public sewerage system and Welsh Water has confirmed that they are satisfied with the proposal to discharge into the public sewerage system.

Gwynedd Archaeological Planning Service

Policy AT4 of the Joint Local Development Plan is relevant as well as Technical Advice Note 24: The Historic Environment. Paragraph 4.2 of TAN24 states that 'The conservation of archaeological remains is a material consideration in determining a planning application'. Gwynedd Archaeological Planning Service has confirmed that a condition should be imposed on the permission to ensure that suitable archaeological mitigation is undertaken prior to any development commencing on site.

### **Impact on adjacent residential properties**

The impact of the proposal, especially upon the amenity of nearby land users should be considered in accordance with the criteria as set out in policy PCYFF 2 (Development Criteria). Specific consideration is given to criteria 6 which stipulates that planning permission should be refused if the proposed development would have an adverse impact on the health, safety or amenity of occupiers of local residences or other land and property users.

There are no immediate neighbours to the application site. Agricultural Land lies to the North and East of the site, the main road is located to the South with agricultural fields beyond. To the West is Coleg Menai and the link road. The nearest dwelling is located approximately 189m away to the South West, there are trees, hedges and a main road between the site and neighbouring properties.

It is not considered that the proposal will have a negative impact upon adjacent residential properties as the proposed site is some distance away from residential properties and has intervening uses such as trees, hedges and main roads.

### **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 in Planning Policy Wales (Edition 11) 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.

A Welsh Language Statement has been submitted to support the Planning application which confirms that the applicant acknowledges the importance of having Welsh language signs and the use of the Welsh language, a condition will be placed on the permission to ensure signs are bilingual. The applicant acknowledges the importance of employing Welsh Language speakers and the importance of marketing and visitor material to be bilingual.

### **Other Considerations**

Economic benefits of the development have been provided in the Planning Support Statement. Further that the economic impact of this spend would be equivalent to between 49 and 56 jobs. The proposal would also support employment directly through employment of people and businesses at the site with 2 persons expected to be employed on a full-time basis and a further 4-6 on a part time basis at the site in administrative and customer service roles. In addition, further jobs will also be supported and provided through other roles such as cleaning, site and building maintenance, and other such contracted work. Weight has been attributed to the economic benefit of the development having regard to Planning Policy Wales and TAN 23.

A Water Conservation Strategy was provided with the planning application in accordance with Policy PCYFF6. This policy aims to protect and improve water resources through increased efficiency and demand management of water. The strategy explains how the proposal will aim to reduce water usage and encourage water recycling in the proposed units. The information satisfies the requirements of the Policy.

Strategic Policies PS5 and PS6 also encourage using low or zero carbon energy technology and Planning Policy Wales encourages the use of Ultra Low Emission Vehicles (ULEVs). Paragraph 4.1.39 of PPW states that the planning system should encourage and support the provision of ULEV

charging points as part of new developments. The proposal provides 4 charging points and Solar PV panels will be placed on the roof of each chalet. The proposal therefore complies with the requirements of Strategic Policy PS5 and PS6 of the JLDP.

## **Conclusion**

The application site is located in an open countryside location on the outskirts of Llangefni Town. The site is considered to be in a very sustainable location with access to a range of services, shops, public footpaths, cycle routes and a sustainable transport network. The development would be located on low lying ground, surrounded by trees and hedges, a substantial landscaping and woodland scheme has been proposed as part of the application which will enhance biodiversity and further screen the development from public view. The Highways Department has confirmed that the proposal is acceptable with appropriately worded conditions. In summary the proposal for 32 holiday chalets and associated development on this site aligns with material policies and is acceptable having weighted the material considerations described in the report.

## **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 chalets 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) The site shall be landscaped strictly in accordance with drawing reference 001H 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 take place in accordance with Section 5 Method Statement Considerations contained within the Tree Survey, Arboricultural Implications Assessment and Method Statement reference 21435/AIA/AMS/A2 rev B by Indigo Surveys dated January 2022 submitted under planning application reference FPL/2022/173.**

Reason: To safeguard any protected species which may be present on the site.

**(05) No tree or vegetation removal or intrusive works near existing trees and hedges shall take place between 1st March and 31st August in any year unless the trees and vegetation has been examined by a suitably qualified ecologist to confirm the absence of nesting birds. The results of this survey shall be submitted to and approved in writing by the Local Planning Authority prior to any vegetation removal between 1st March and 31st August.**

Reason: To safeguard any nesting birds which may be present on the site.

**(06) 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 lights 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 interests of the amenity of the locality and in the interest of biodiversity.

**(07) Any construction works should be carried out between the following times – 0800 – 1800hrs – Monday to Friday; 0800 – 1300hrs on Saturday's and no working on Sunday's or Bank Holidays.)**

Reason: In the interest of residential amenity

**(08) The hedge adjacent to the B5420 as shown on the proposed site plan 001H shall be removed prior to any works commencing on the site.**

Reason: To ensure adequate visibility during construction works.

**(09) 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.

**(10) The access shall be constructed with 2.4 metre by 117 metre splay to the West and 2.4 metre x 149 metre splay to the East. 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 intervisibility between the access and the existing public highway for the safety and convenience of users of the highway and of the access.

**(11) The access shall be completed with a bitumen surface for the first 5 metres from the nearside edge of the highway with the surface water drainage system completed and fully operational before any work is commenced on the remainder of the development before the use hereby permitted is commenced.**

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

**(12) The car parking accommodation shall be completed in accord with the details hereby approved before the use hereby permitted is commenced.**

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.

**(13) The access shall be constructed with its gradient not exceeding 1 in 20 for the first 5 metres back from the nearside edge of the adjoining carriageway.**

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

**(14) 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.

**(15) Only foul water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made between manhole reference number**

**SH47750502 and SH47750501 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.**

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

**(16) A licenced ecologist should be present on site during the removal of the hedgerow adjacent to the public highway to ensure no protected species are harmed or disturbed.**

Reason: To ensure no protected species are harmed or disturbed

**(17) The bird and bat boxes shall be installed prior to the occupation of the holiday chalets and shall be placed in existing trees as shown on drawing number 001H. Bird boxes shall be installed between 2-4m above the ground on the North or North-East of the tree and Bat boxes shall be installed at least 3m above ground level on the South or South West of the tree.**

Reason: To ensure the development provides biodiversity enhancements in accordance with Policy AMG5

**(18) Prior to commencement of work on site a detailed plan should be submitted to and approved in writing by the Local Planning Authority setting out measures to ensure no waste/run off discharges into the watercourse.**

Reason: To ensure the development does not impact biodiversity in the watercourse

**(19) A Meadow Grass Management Plan for ground preparation, sowing and maintenance for the first 5 years relating to the establishment of the meadow grass as shown on drawing number 001H shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any of the holiday chalets on the site. The Meadow Management Plan shall be carried out as approved.**

Reason: In the interest of ecology

**(20) A landscape management plan, noting maintenance schedules for landscaped areas, shall be submitted to and approved in writing by the local planning authority prior to the occupation of any of the holiday chalets on the site. The landscape management plan shall be carried out as approved.**

Reason: In accordance with PCYFF 4.

**(21) The development shall take place in accordance with the recommendations contained within the Cambrian Ecology Ltd Preliminary Ecological Assessment updated 27th May 2022 submitted under planning application reference FPL/2022/173.**

Reason: To safeguard any protected species which may be present on the site.

**(22) Any signs informing and promoting the development both within and outside the site must be Welsh or bilingual with priority for the Welsh language.**

Reason: To ensure the proposal complies with Policy PS1

**(23) (i) No development (including site clearance, topsoil strip or other ground works) shall take place until a Desk Based Assessment and specification for archaeological mitigation work has been submitted by the applicant and approved in writing by the Local Planning Authority. The development shall be carried out and all archaeological work completed in accordance with the approved specification.**

**(ii) A detailed report on the archaeological mitigation work required by condition (i) shall be submitted to the Local Planning Authority within 6 months of completion of archaeological fieldwork and must be approved in writing by the Local Planning Authority.**

Reason 1: To ensure the implementation of an appropriate programme of archaeological mitigation in accordance with the requirements of Planning Policy Wales 2021 and TAN24: The Historic Environment.

Reason 2: To ensure that the work will comply with MORPHE/Management of Archaeological Projects (MAP2) and the Standards and Guidance of the Chartered Institute for Archaeologists (CIfA).

**(24) No development shall commence on site until details of the colour and finish of the proposed units have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and the colour scheme agreed shall be retained for the lifetime of the development.**

Reason: In the interests of the visual amenity of the locality

**(25) 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.**

- Landscape General Arrangement – 001 H
  - Proposed Layout – 2621:21:3M
  - Reception Lodge – 2621L:22:14B
  - One Bed Timber Lodge – 2621L:22:10B
  - Two Bed Timber Lodge – 2621L:22:11B
  - Three Bed Timber Lodge – 2621L:22:12B
  - Four Bed Timber Lodge – 2621L:22:13B
  - Drainage Assessment – Final Report V1.6 dated December 2022 Westwood
  - Transport Statement – SCP dated June 2022
  - Design and Access Statement – 1118/12/17
  - Tree Survey, Arboricultural Implications Assessment and Method Statement – Indigo Surveys – 21435/AIA/AMS/A2 rev B
  - Archaeological Evaluation V2.0 – A0373.1 September 2022
  - Archaeological Desk-Based Assessment – June 2020
  - Geophysical Survey Report Version 1.0 – Tigergeo – DNL191 – Dated 6th November, 2019
  - Preliminary Ecological Assessment – Cambrian Ecology Ltd – 27th May 2022 Update
  - Landscape and Visual Impact Assessment – June 2022
  - Water Conservation Strategy – 1118/12/17
  - Community and Linguistic Statement – 1118/12/17
  - Location Plan – 2621:18:1B
  - Energy Assessment Statement by EAS (Anglesey) Ltd
- Planning Support Statement – 1118/12/17**

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: LBC/2022/34

Applicant: Head of Service Regulation and Economic Development

Description: Listed building consent for alterations and repairs at

Site Address: The Pillbox, Trearddur Bay



### Report of Head of Regulation and Economic Development Service (Keith Williams)

Recommendation: Permit

#### Reason for Reporting to Committee

The application has been submitted, alongside an associated listed building consent application (LBC/2022/33 - Pillbox near Skinner’s Monument, Holyhead), by Isle of Anglesey County Council as part of a wider Heritage Landscape Project.

#### Proposal and Site

Second World War pillbox fortification; part of circa 1940 defences of Trearddur Bay is grade II listed (Cadw Record No.: 20079) as *Pillbox adjacent to Trearddur Bay Hotel* and is located on a rocky promontory to the rear (N) of the Trearddur Bay Hotel, set back from the N side of Lon Isallt.

The building is described as being two circular plan pillboxes, one built with the entrance screening wall abutting the rear wall of the other. Built of local rubble, with rubble plinth on concrete foundations; head of wall has rubble set on end to give effect of folly or garden architecture, concealing concrete

roof. Square-headed doorways and openings around circumferences; doorways protected by screen walls.

The building is listed as being an unusual Welsh example of this fortification type, to a design believed to have been used only on Anglesey.

The application is for listed building consent for alterations and repairs.

The application has been submitted, alongside an associated listed building consent application (LBC/2022/33 - Pillbox near Skinner's Monument, Holyhead), by Isle of Anglesey County Council as part of a wider Heritage Landscape Project.

### **Key Issues**

The application's key issues are:

- Does the proposal comply with relevant policies and policy considerations.
- Does the proposal significantly affect the character of the listed building.

### **Policies**

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

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.  
PPG (Wales) 9th Edition, Chapter 6. The Historic Environment.  
TAN 12: Design and TAN 24: The Historic Environment.  
Anglesey and Gwynedd Joint Local Development Plan (2017) Policy PS 20.  
Historic Environment (Wales) Act 2016 & Best Practice Guidance.

Legislative and Policy Requirements: Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that:

(2) In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

Planning Policy Wales (Edition 11) February 2021

Policy PCYFF 3: Design and Place Shaping.

Policy PCYFF 4: Design and Landscaping.

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

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

<b>Consultee</b>	<b>Response</b>
Cyngor Cymdeithas Trearddur Community Council	No response received at the time of writing this report
Cynghorydd Trefor Lloyd Hughes	No response received at the time of writing this report
Cynghorydd Keith Robert Roberts	No response received at the time of writing this report
Cynghorydd Dafydd Rhys Thomas	No response received at the time of writing this report
GCAG / GAPS	Advice given
Joint Committee of The National Amenity Societies	No response received at the time of writing this report

The proposal has been advertised through the posting of a notice on site together with the distribution of personal letters of notification to the occupiers of neighbouring properties. A notice was also placed within the local newspaper.

Expiry Date: 23 11 22

### **Relevant Planning History**

No relevant planning history

### **Main Planning Considerations**

Second World War pillbox fortification; part of circa 1940 defences of Trearddur Bay is grade II listed (Cadw Record No.: 20079) as *Pillbox adjacent to Trearddur Bay Hotel* and is located on a rocky promontory to the rear (N) of the Trearddur Bay Hotel, set back from the N side of Lon Isallt.

The building is described as being two circular plan pillboxes, one built with the entrance screening wall abutting the rear wall of the other. Built of local rubble, with rubble plinth on concrete foundations; head of wall has rubble set on end to give effect of folly or garden architecture, concealing concrete roof. Square-headed doorways and openings around circumferences; doorways protected by screen walls.

The building is listed as being an unusual Welsh example of this fortification type, to a design believed to have been used only on Anglesey.

The application is for listed building consent for alterations and repairs.

The application has been submitted, alongside an associated listed building consent application (LBC/2022/33 - Pillbox near Skinner's Monument, Holyhead), by Isle of Anglesey County Council as part of a wider Heritage Landscape Project.

Most of the proposed works are considered to be repair and maintenance works that do not require formal consent. However, there are elements of the proposed works e.g. removal of 2 no. stones to create roof water outlets, removal of bituminous roof topping and laying of new thin concrete roof covering and waterproofing system towards new outlets. A the proposed pedestrian timber gate will not be fixed to the heritage asset it will not require listed building consent. The erection of the detached gate will assist in preventing entry by cattle whilst not harming the setting of the listed building.

The urgency for coastal defences during World War II and shortage of some building materials at the time resulted in a vernacular and hurried construction. The hurried construction with locally available materials meant that the pillboxes were never intended to be permanent structures. Consequently, construction issues have arisen, exacerbated by longstanding lack of maintenance, that need to be addressed in order to safeguard the structure's long term future.

The local planning authority consider that the proposed alterations are justified and sympathetic to the building's character and have been kept to a minimum so as not to harm the significance of the listed building.

It is considered that the proposals have been carefully considered and would not result in harm to the character or setting of the listed building. Consequently, the proposals are supported as they have considered the character and significance of the listed building, and its heritage features, and submitted a proposal that protects the listed building, subject to specific listed building consent conditions. At the time of writing this report no letter of objection has been received at this department.

### **Conclusion**

It is considered that the proposals have been carefully considered and would not result in harm to the character or setting of the listed building. Consequently, the proposals are supported as they have

considered the character and significance of the listed building, and its heritage features, and submitted a proposal that protects the listed building, subject to specific listed building consent conditions. At the time of writing this report no letter of objection has been received at this department.

### **Recommendation**

That the application is permitted subject to the following conditions:

**(01) The development to which this permission relates shall be begun not later than the expiration of five years beginning with the date of this permission.**

Reason: To comply with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990.

**(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 listed building consent.**

**Location Plan / RAM-SK001 Rev P01  
Site Plan / RAM-SK001 Rev P01  
Proposed Repairs / 1620013257-RAM-ZZ-ZZ-DR-S-0007 Rev P01  
Technical Note 01 / 1620013258 01  
Design and Access Statement / Ramboll  
Heritage Impact Assessment / Ramboll Sept 2022**

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

**(03) Demolition work shall be carried out by hand or by tools held in the hand other than power-driven tools.**

Reason: In the interests of ensuring that no damage is caused to the part of the building which is to be retained.

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF 3, PCYFF 4, and PS 20.

NOTE: This decision notice refers to the granting of Listed Building Consent only. Planning Permission may also be required and until such time as the necessary permission is granted no development may be carried out at the property.

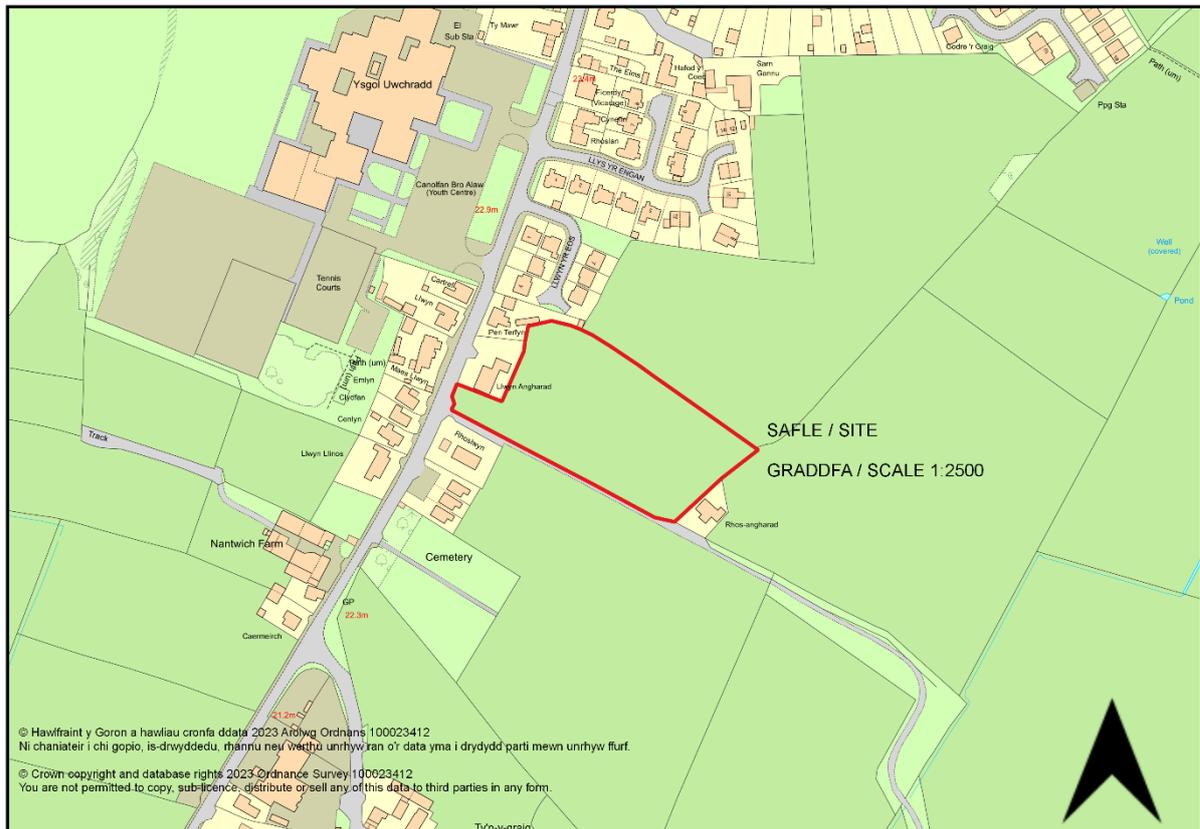
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2022/71

Applicant: Clwyd Alyn Housing Ltd

Description: Full application for the erection of 29 dwellings, together with the creation of a new vehicular access, an internal access road and associated works on land at

Site Address: Tre Angharad, Bodedern



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

Recommendation: Permit

### Reason for Reporting to Committee

The planning application is presented to the planning committee at the request of the local member due to concern over school capacity at the primary school at Bodedern.

### Proposal and Site

The application site comprises 0.97 hectares of agricultural land situated along London Road which leads to the centre of Bodedern. Part of the application site to the north is abutted by the Llwyn yr Eos residential estate, and to the east by a residential property (Rhos Angharad) and to the south west by residential properties (Rhos Llwyn, Llwyn Angharad and Penterfyn).

This is a full application for the erection of 29 residential properties which includes 6 affordable dwellings. The layout plan illustrates an improved entrance to London Road and an internal road. As part of the proposal a pavement will be provided from within the application side which will lead to a pedestrian crossing to join with the existing pavement on the opposite side of London Road.

## Key Issues

The main issues are:-

- Principle of Residential Development
- Highway Considerations and Sustainability
  - Relationship with the Surroundings
  - Relationship with Adjacent Properties
  - Ecology and Biodiversity Considerations

## Policies

### Joint Local Development Plan

Strategic Policy PS 1: Welsh Language and Culture  
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  
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  
Policy PCYFF 6: Water Conservation  
Policy TAI 1: Housing in Sub-Regional Centre & Urban Service Centres  
Policy TAI 8: Appropriate Housing Mix  
Policy TAI 15: Affordable Housing Threshold & Distribution  
Policy AMG 3: Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character  
Policy AMG 5: Local Biodiversity Conservation  
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment  
Strategic Policy PS 20: Preserving and where Appropriate Enhancing Heritage Assets  
Policy AT 4: Protection of Non-Designated Archaeological Sites and their Setting

Planning Policy Wales (Edition 11, February 2021)

Technical Advice Note 2: Planning and Affordable Housing (2006)  
Technical Advice Note 5: Nature Conservation and Planning (2009)  
Technical Advice Note 11: Noise (1997)  
Technical Advice Note 12: Design (2016)  
Technical Advice Note 15: Development and Flood Risk (2004)  
Technical Advice Note 18: Transport (2007)  
Technical Advice Note 20: Planning and the Welsh Language (2017)  
Technical Advice Note 24: The Historic Environment (2017)

Supplementary Planning Guidance - Affordable Housing (2004)  
Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)  
Supplementary Planning Guidance - Planning Obligations (Section 106 Agreements) (2008)  
Supplementary Planning Guidance - Housing Mix (October 2018)

## Response to Consultation and Publicity

Consultee	Response
Cyngor Cymuned Bodedern Community Council	No response.

Bwrdd Iechyd Betsi Cadwaladr Health Board	No response.
Priffyrdd a Trafnidiaeth / Highways and Transportation	Conditional Approval
Draenio Gwynedd / Gwynedd Drainage	Confirmation has been received that an application to the SAB will be required in order to consider adequate sustainable techniques to manage surface water.
Ymgynghorydd Tirwedd / Landscape Advisor	No response.
GCAG / GAPS	No response
Gwasanaeth Addysg / Education Service	A financial contribution will be required towards Bodedern Secondary School.
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	General Policy Comments.
Cyfoeth Naturiol Cymru / Natural Resources Wales	General Comments.
Iechyd yr Amgylchedd / Environmental Health	General Comments.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	No response
Dwr Cymru Welsh Water	Conditional Approval.
Scottish Power Energy Networks	General Comments.
Cadw Scheduled Monuments	No objection.
Strategol Tai / Housing Strategy	Satisfied that the identified need is addressed.
Diogelu – Y Weinyddiaeth Amddiffyn / MOD Safeguarding	No objections.
Rheolwr Polisi a Strategaeth / Policy & Strategy Manager	No need for Welsh Language Statement.
Cynghorydd Gwilym O Jones	No response.
Cynghorydd Ken Taylor	Request that the planning application is presented to the Planning Committee for consideration.

The proposal has been advertised through the posting distribution of personal letters of notification to the occupiers of neighbouring properties. A notice was also placed within the local newspaper. The latest date for the receipt of any representation was the 6/1/2023. At the time of writing this report no letters of representations had been received.

### **Relevant Planning History**

OP/2019/17 - Outline application for the erection of 30 dwellings together with full details of layout and access at - Tre Angharad, Bodedern - Permit - Approved 3/11/20 - Section 106 Agreement

### **Main Planning Considerations**

#### **Principle of Residential Development**

There is an extant outline permission on the land for 30 dwellings approved under planning application OP/2019/17.

Bodedern is identified as a Local Service Centre under Policy TAI2 of the JLDP. The policy supports housing to meet the plan's strategy through housing allocations within the development boundary based upon the indicative provision shown in the policy.

The application site is located on an allocated site (T33) within the development boundary of Bodedern under the provisions of PCYFF 1 and the principle of residential development is therefore acceptable and aligns with policy TAI 1, there is at present capacity in the settlement which means that no Welsh Language Statement is required with the planning application. A satisfactory record of how the Welsh language was considered in drawing up the planning application has been provided with the Design and Access Statement submitted with the planning application.

Criterion (3) of Policy PCYFF2 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 density of this proposal (29 units) on part of the allocation (0.97 hectares) totals 29.89 units per hectare. This is only slightly below the requirements of Policy PCYFF2, but considerations have to be given to an appropriate area for a SuDS scheme and consideration of distances to neighbouring properties.

Policy TAI 8 of the JLDP requires that the mix of housing in a development are appropriate and align with the need of the area. The mix of dwellings comprises detached, semi-detached, terraced properties with a mixture of 2 and three bedroom properties. The mix includes 12 x 2 bed semi-detached houses, 12no x3 bed semi-detached houses, 4no x 2 bed terraced houses and 1 x 3 bedroom bungalow. The Design and Access Statement explains how the mix was derived having regard to the SPG Housing Mix and concludes that the scheme meets the need for 2 and 3 bedroom dwellings. The council's Housing Service has provided a list of housing need in the locality.

Policy TAI 15 requires that part of the proposed development is provided for affordable housing purposes and in Bodedern this equates to 20% of the overall number of units which equates to 6 units. The council's Housing Service has confirmed that there is a need for affordable housing based on the council housing waiting list and the Tai Teg register and they have confirmed that they are satisfied with 6 affordable units. However, the developer is Clwyd Alun Housing Ltd where It is considered that the development will be for 100% affordable housing.

### **Highway Considerations and Sustainability:**

It is material that the application site is allocated for residential purposes in the JLDP and that at part of this process the adequacy of the highway network serving the development would have been assessed in preparing the plan.

A Transport Statement has been provided with the application to address Highway and transportation issues associated with the 29 unit residential development. A detailed analysis of the proposed traffic generation from the application site has been undertaken and the Highway Authority has confirmed that they are satisfied with the proposal.

A 40m x 2.4m visibility splay is provided as part of the planning application as required by Technical Advice Note 18.

The Highways Authority has confirmed at outline stage that the access at Llwyn yr Eos is sufficient to serve the remaining allocated housing T33 application site.

### **Drainage**

Drainage plans have been submitted with the planning application and confirmation has been received that foul drainage from the development would be discharged into the public sewer at manhole chamber reference SH33792901 located adjacent to Bodedern Secondary School. Welsh Water has confirmed that this is acceptable with an appropriate worded condition.

Surface water run-off will be discharged via soakaway systems. The existing culvert to the east of the site will be removed to allow surface water generated during events exceeding and extreme event to

discharge into the open ditch and any build-up of water will surcharge onto the minor road and routed away from nearby properties.

Surface water from the development will need to be disposed of via a SuDS system and approval will be required from the Suds Approving Body which is an arm of the council.

Ecology and Biodiversity: In line with Strategic Policy PS19 and AMG5 of the Joint Local Development Plan and the requirements of the Environment (Wales) Act 2016 to seek to maintain and enhance biodiversity the Ecological Advisor requested a Phase One Habitat Survey to identify whether there were any habitat features which may hold wildlife interest, particularly in relation to protected species. Even though the ecological report is out of date, the ecologist has provided an update to confirm that there is no change on site since the previous report was completed. The proposal also includes a landscaping scheme.

The ecologist has confirmed that at least 6 swift boxes/bricks should be installed to the North or East facing walls. A Sparrow nest box should be installed onto the bungalow. These issues will be conditioned so that further information is submitted prior to the commencement of work on site.

Natural Resources Wales has confirmed that they are satisfied with the proposal.

### **Landscaping**

It has been confirmed that the existing hedge on the North East boundary will be retained and further landscaping work will be undertaken to show a benefit towards biodiversity, this will be conditioned to ensure that the landscaping work is carried out in accordance with the submitted plans.

### **Scheduled Ancient Monuments**

The conservation of archaeological remains and their settings is a material consideration in determining a planning application, whether those remains are a scheduled monument or not. Where nationally important archaeological remains are likely to be affected by proposed development, there should be a presumption in favour of their physical protection in situ.

CADW has confirmed that there are two scheduled monuments located inside 2km of the proposed development; however, intervening topography and vegetation will block all views between it and scheduled monument AN010 Presaddfed Burial Chamber. Consequently it is not considered that the proposed development will have any impact on the setting of scheduled monument AN010. The application area is located some 770m west of scheduled monument AN099 Bodedern Early Christian Cemetery and CADW has confirmed that the development will not have any impact on the setting of scheduled monument AN010.

CADW confirms that when the development is viewed from the scheduled monument it will be seen as an extension of the existing settlement at Bodedern. Whilst this will increase the amount of modern development in the view from the scheduled monument it will not have any impact on the surrounding topography and immediate environs. Consequently the proposed development will not alter the way that the scheduled monument is experienced, understood or appreciated and therefore it will have no impact on the setting of scheduled monument AN099.

### **Relationship with Adjacent Properties**

The council's SPG Design Guide provides guidance on the proximity of development to other properties and boundaries to prevent overlooking and other unacceptable impacts. Amended plans were received in the course of determining the planning application which increased the distances from the rear elevations of the dwellings to the boundaries at the bottom of their rear gardens. The distances are now acceptable such that there will not be any unacceptable impacts on the residential amenities of the existing residential properties.

In terms of the impact of the proposed development on the residential amenities of adjacent residential and other properties it is considered that this can be satisfactorily regulated by the use of a Construction Environmental Management Plan which will regulate working times and other

construction activities as recommended in the comments of the council's Environmental Health Section.

### **Other Matters:**

Policy ISA 5: of the JLDP requires that new housing proposals for 10 or more dwellings in areas where existing open space cannot meet the needs of the proposed development, will be expected to provide suitable open space provision in accord with the policy. There is a deficiency in provision of children's equipped play areas in Bodedern. There will be a requirement for the developer to provide a financial contribution of £5,557.94 towards equipped play areas in Bodedern.

The application site comprises agricultural land and PPW states Grade 1, 2 and 3a agricultural land should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations. In this instance the application site is allocated such that the aforementioned considerations would have been systematically assessed as part of the overall process of preparing the JLDP.

The council's Education Section have confirmed that a financial contribution will be required towards Ysgol Uwchradd Bodedern and on this basis a planning obligation has been recommended requiring a financial contribution of £18,469 as part of the development. Concerns were raised by the Local Member that Ysgol Gynradd Bodedern was over capacity. The Education Department has confirmed that the procedure that they have followed in assessing the planning application is outlined in the "Supplementary Planning Guide, Planning Commitments" adopted in September 2019. The potential impact of a planning application has been assessed when "the planning application is submitted" which in this case was in March 2022, which in turn was part of the 2021-22 educational year. The number of pupils at Bodedern Primary School in September 2021, which in the educational year 2021-22 was 90. A total of 12 primary age pupils would result from the development which would take the capacity of the school to 102 which is 1 less than the school's capacity. As a result of this no education contribution is required for Ysgol Gynradd Bodedern.

### **Conclusion**

In summary the principle of the development has been approved under outline planning application OP/2019/17. The proposal for 29 residential units on this allocated housing site aligns with material policies and is acceptable having weighted the material considerations described in the report providing a Section 106 agreement is completed for the following reasons:-

- 6 of the dwellings to be affordable
- An Education Contribution of £18,469 towards Bodedern Secondary School.
- £5,557.94 towards equipped play areas in Bodedern.

### **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 site shall be landscaped strictly in accordance with 2021/28/PP/01 v1 and 2021/28/PP/02 v1 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.

**(03) Prior to the commencement of work on site, full details of 6 bat boxes and 6 swift boxes/bricks shall be provided to the Local Planning Authority. The bat and swift boxes/bricks shall thereafter be carried out in accordance with the approved details prior to the use of the dwellings hereby approved.**

Reason: To enhance biodiversity on the site in accordance with Policy AMG5

**(04) The application site shall be developed strictly and entirely in accordance with the Preliminary Ecological Assessment by Cambrian Ecology Ltd dated 25<sup>th</sup> March, 2020.**

Reason: In the interests of ecology.

**(05) No vegetation removal shall take place between 1<sup>st</sup> March and 30<sup>th</sup> September in any year unless the vegetation has been examined by a suitably qualified ecologist to confirm the absence of nesting birds. The results of this survey shall be submitted to and approved in writing by the Local Planning Authority prior to any vegetation removal between 1<sup>st</sup> March and 30<sup>th</sup> September.**

Reason: To safeguard any nesting birds which may be present on the site

**(06) Foul water from the development site shall be discharged to the 150mm foul public sewer and this discharge shall be made at/ or downstream of manhole chamber reference SH33792901 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.**

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

**(07) If contamination is encountered in the implementation of the development hereby approved it shall be fully assessed in an appropriate remediation scheme which shall be submitted to and approved in writing by the Local Planning Authority. The relevant parts of the application site shall thereafter be remediated in accordance with the scheme of remediation approved under the provisions of this planning condition.**

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with Local Planning Policy.

**(08) The provisions of Part 1, Classes A and B of the Town and Country Planning (General Permitted Development) (Wales) Order 2013 (or any amendment or Order re-voking or re-enacting that Order) are hereby excluded on the affordable plots.**

Reason: In the interests of the amenities of the existing residential properties in proximity.

**(09) No development shall commence until a Construction Environmental Management Plan "CEMP" has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include general environmental provisions relating to the construction of the development and, as a minimum, shall include detail of:**

**The sustainability of the construction methods to be employed;**

**Full specification(s) of external lighting (if any)**

**Working hours during the construction**

**Dirt and dust control measures and mitigation**

**Noise, vibration and pollution control impacts and mitigation;**

**Water quality and drainage impacts and mitigation.**

**Existing hedge and tree protection measures.**

**Height, specification and colour of safety all fencing and barriers to be erected in the construction of the development hereby approved.**

**Monitoring and compliance measures including corrective/preventative actions with targets in the CEMP which shall accord where relevant with British Standards.**

**The development hereby approved shall be undertaken in accordance with the approved CEMP.**

Reason: To safeguard against any impact the construction of the development may have on the environment, landscape, local ecology and local amenity.

**(10) Notwithstanding the submitted information, Natural slates of uniform colour shall be used as the roofing material of the proposed dwellings.**

Reason: In the interests of amenity.

**(11) 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.

**(12) The access shall be constructed with its gradient not exceeding 1 in 20 for the first 5 metres back from the nearside edge of the adjoining carriageway.**

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

**(13) The highway boundary wall/hedge/fence or any new boundary erected fronting the highway shall at no time be higher than 1 metre above the level of the adjoining county road carriageway along the whole length of the sites boundary with the adjoining highway and nothing exceeding this height erected within 2 metre of the said wall/hedge/fence or any new boundary.**

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

**(14) The access shall be completed with a bitumen surface for the first 5 metres from the nearside edge of the highway with the surface water drainage system completed and fully operational before any work is commenced on the remainder of the development before the use hereby permitted is commenced.**

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

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

Reason: 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.

**(16) No surface water from the within the curtilage of the site to discharge onto the county highway. No dwelling shall be occupied until the approved scheme has been completed and is fully operational.**

Reason: In the interest of highway safety

**(17) The estate road 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.

**(18) The estate road 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 development hereby approved whichever is the sooner.**

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

**(19) 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.

**(20) No development shall commence until measures are in place to secure the future maintenance of the access and estate roads in accordance with details previously submitted and approved in writing by the local planning authority " Management and Maintenance Plan". The Management and Maintenance Plan for the lifetime of the development shall include the arrangements to secure the operation of the scheme throughout its lifetime. The access and estate roads shall thereafter be maintained in accord with the Management and Maintenance Plan approved under the provisions of this condition for the lifetime of the development hereby approved.**

Reason: To comply with the requirements of the Highway Authority.

**(21) 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.**

- SWOT Analysis – 1202 Rev P1**
- Site Sections Street Scene – 1300 Rev P2**
- Site 3D Visual – 1400 Rev P2**
- Planting Proposals (Western Site Extent) – 2021/28/PP/01 Rev A**
- Planting Proposals (Eastern Site Extent) – 2021/28/PP/02 Rev A**

- Proposed Visibility Splay at Site Entrance – 0008 S1 Rev P01
- Surface Water Drainage Sections – 0015 S1 P01
- Section 104 Drainage Layout – 0007 S1 P01
- Proposed SuDS Approval Body (SAB) Adoption Layout – 0022 S1 P01
- Proposed Hardstanding Areas – 0004 S1 P01
- Proposed Highway Construction Details – 0010 S1 P01
- Proposed Drainage Schedule Sheet 1 – 0018 S1 Rev P01
- Proposed Drainage Schedule Sheet 2 – 0019 S1 P01
- Proposed Road 3 Highway Long Section and Cross Section – 0014 S1 P01
- Proposed Rising Main Section – 0024 S1 P01
- Proposed Road 1 Highway Long Section and Cross Section – 0012 S1 P01
- Proposed Kerbing Surfacing – 0006 S1 P01
- Proposed Road 2 Highway Long Section and Cross Section – 0013 S1 P01
- Proposed Highway Setting Out – 0017 S1 P01
- Proposed Isopachyte Cut and Fill Layout – 0020 S1 P01
- Proposed Section 38 Layout – 0021 S1 P01
- Proposed External Works – 0009 S1 P01
- Planning 3B5P Bungalow GA Set Type 4 – 7006 Rev P5
- Planning 2B4P Semi GA Plans Type 1 – 7000 Rev P4
- Planning 2B4P Semi GA Elevations Type 1 - 7001 Rev P4
- Planning 3B5P GA Plans Type 2 – 7002 Rev P4
- Planning 3B5P GA Elevations Type 2 – 7003 Rev P4
- Planning 2B4P Terrace GA Plan Type 3 – 7004 Rev P4
- Planning 2B4P – Terrace GA Elevation Type 3 – 7005 Rev P4
- Sketch Site Aerial Overlay – 9005 Rev P1
- Site Plans Location Plan – 1100 Rev P4
- Site Plan Proposed 01 – 1200 Rev P7
- Site Plan Proposed 02 – 1201 Rev P7
- Preliminary Ecological Assessment - Clwydian Ecology Ltd dated 25<sup>th</sup> March 2020
- Transport Statement – SCP December 2021
- Porosity Report – Cadarn Consulting Engineers – S1 Revision P1 dated August 2021
- Foul Drainage Sections – Cadarn Consulting Engineers – 0016 S1 Rev P01
- Drainage Strategy – Cadarn Consulting Engineers – S1 Rev P01 dated November 2021
- Drainage Detail 3 – 0025 S1 Rev P01
- Drainage Detail 2 – 0024 S1 Rev P01
- Proposed Drainage Details – 0011 S1 P01
- Design, Access and Planning Statement – Cadnant Planning November 2021
- Appendix A Compliance Tables
- Cambrian Ecology Ltd – Formal Response Note

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

**(22) No development shall commence until a Materials and Waste Management Plan (MWMP) has been submitted for the written approval of the Local Planning Authority. The approved Materials and Waste Management Plan shall be implemented as approved for the duration of the construction period and shall provide as a minimum details of:**

- (a) Contact names and numbers of personnel responsible for adherence to the MWMP**
  - (a) The areas of the site subject to excavations**
  - (b) The amount and composition (top soil, sub soil, overburden, stone etc) of excavated material subject to the development**
  - (c) The amount and composition of material that is to be reused as part of the development**
  - (d) If material is to be reused on site a methodology as to the suitability of the material noting:**
    - i. Does the material require on site / off site processing or recycling prior to re-use,**
    - ii. The locations / areas on site the material is to be re-used**
    - iii. Areas where material is to be stored / processed during the construction period and how the areas are to be restored upon completion of works.**
  - (e) The amount and composition of material that is to be disposed of off site as waste / or recovered off site as product.**

**(f) The method (Permitted site, CL:AIRE DoWCoP, Exemptions etc) and off-site facilitates the material / waste is to be disposed / recovered.**

Reason: To ensure that the development is carried out with the least effect on the environment and the site is developed correctly. To assist effective monitoring of the development during the construction period and to strive to reduce the amount of waste associated with the development.

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, ISA1, ISA5, PS4, TRA2, TRA4, PS5, PS6, PCYFF1, PCYFF2, PCYFF3, PCYFF4, PCYFF6, TAI1, TAI8, TAI15, AMG3, AMG5, PS19, PS20, AT4

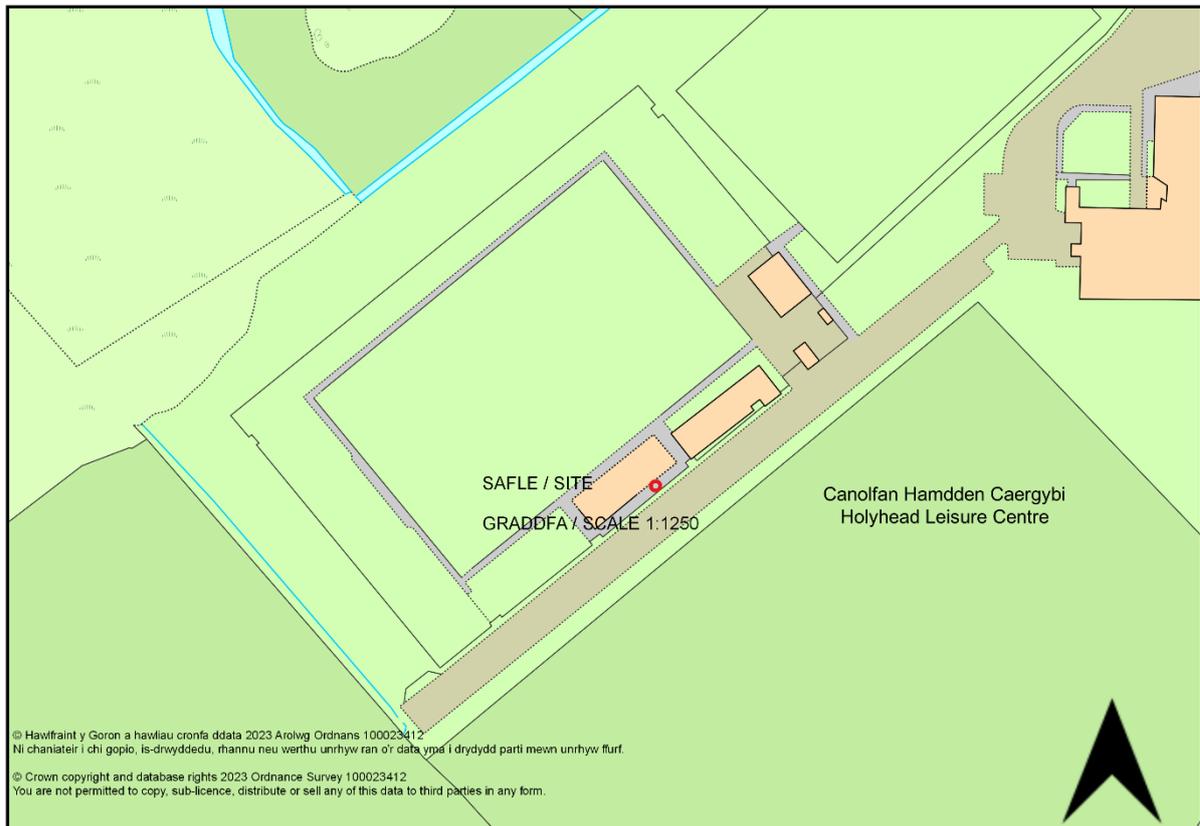
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2022/301

Applicant: Holyhead Hotspur F.C

Description: Full application for the installation of a water storage butt behind the main stand at

Site Address: Holyhead Hotspur Football Club, Holyhead



### Report of Head of Regulation and Economic Development Service (Cai Roberts)

**Recommendation:** Permit

### Reason for Reporting to Committee

The application is presented to the Committee as it is an application being made on land which is owned by the Isle of Anglesey County Council.

### Proposal and Site

The application site is a football stadium located at Holyhead Leisure Centre along Kingsland road, within the development boundary of Holyhead as defined by the Joint Local Development Plan.

### Key Issues

The key issues are whether the proposed scheme is acceptable, whether it complies with current policies, and whether the proposed development would impact any neighbouring properties.

## Policies

### Joint Local Development Plan

Policy PCYFF 2: Development Criteria  
Policy PCYFF 3: Design and Place Shaping  
Policy PS 1: Welsh Language and Culture

Technical Advice Note 12: Design (2016)

Planning Policy Wales (Edition 11, February 2021)

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

### Response to Consultation and Publicity

Consultee	Response
Cyngor Tref Caergybi / Holyhead Town Council	No Response
Cynghorydd Trefor Lloyd Hughes	No Response
Cynghorydd Keith Robert Roberts	No Response
Cynghorydd Dafydd Rhys Thomas	No Response to date
Ymgynghoriadau Cynllunio YGC	No Comments

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of any representation was the 07/12/2022. At the time of writing this report, no letters of representations had been received at the department.

### Relevant Planning History

19C845B – Construction of a physio room – Permitted – 30/7/2008  
19C845C – Retention of Alterations and Extensions – Permitted – 7/4/2022  
19C845F – Variation of Condition (01) of permission 19C845C – Permitted – 22/8/2022  
19C845J/VAR - Application under Section 73 for the variation of condition (01) of planning permission reference 19C845E – Granted – 9/6/2022

### Main Planning Considerations

The site is a football stadium located at Holyhead Leisure Centre along Kingsland road, within the development boundary of Holyhead as defined by the Joint Local Development Plan. The proposed scheme is for the siting of a water storage butt behind the main stand.

The application's main issues are:

- I. Siting and Design
- II. Impact on Adjacent Residential Properties

#### i. Siting and Design

The development is of a small scale, measuring 3m in height and 2.6m in width, holding a total of 15,000 litres at full capacity. It will be located behind the main stand at the stadium.

The water storage butt will be green and will be subservient to the main stand and will not look out of context in the surrounding area. This development will be of high quality design, ensuring compliance with policy PCYFF 3. Its small scale nature will ensure integration into the surrounding built environment, creating no greater visual impact.

## **ii. Impact on Adjacent Residential Properties**

This is considered a small scale development that will have no greater impact upon any neighbouring properties, in compliance with policy PCYFF 2. It will integrate well into its place behind the main stand, and will not be visible from most of the surrounding area due to the fencing and being away from areas of public access.

### **Conclusion**

The proposal is a small scale development to provide a storage water butt at Holyhead Hotspurs Stadium. It is of an appropriate design and scale to ensure integration into the site and no impact upon neighbouring properties. It is considered to comply with the relevant policies of the Joint Local Development Plan.

### **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:**

- **Proposed Elevations – 2294-A3-03 – November 2022**
- **Location Plan – 2294-A3-01 – November 2022**
- **Proposed Photographic View – 2294-A3-04- November 2022**

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

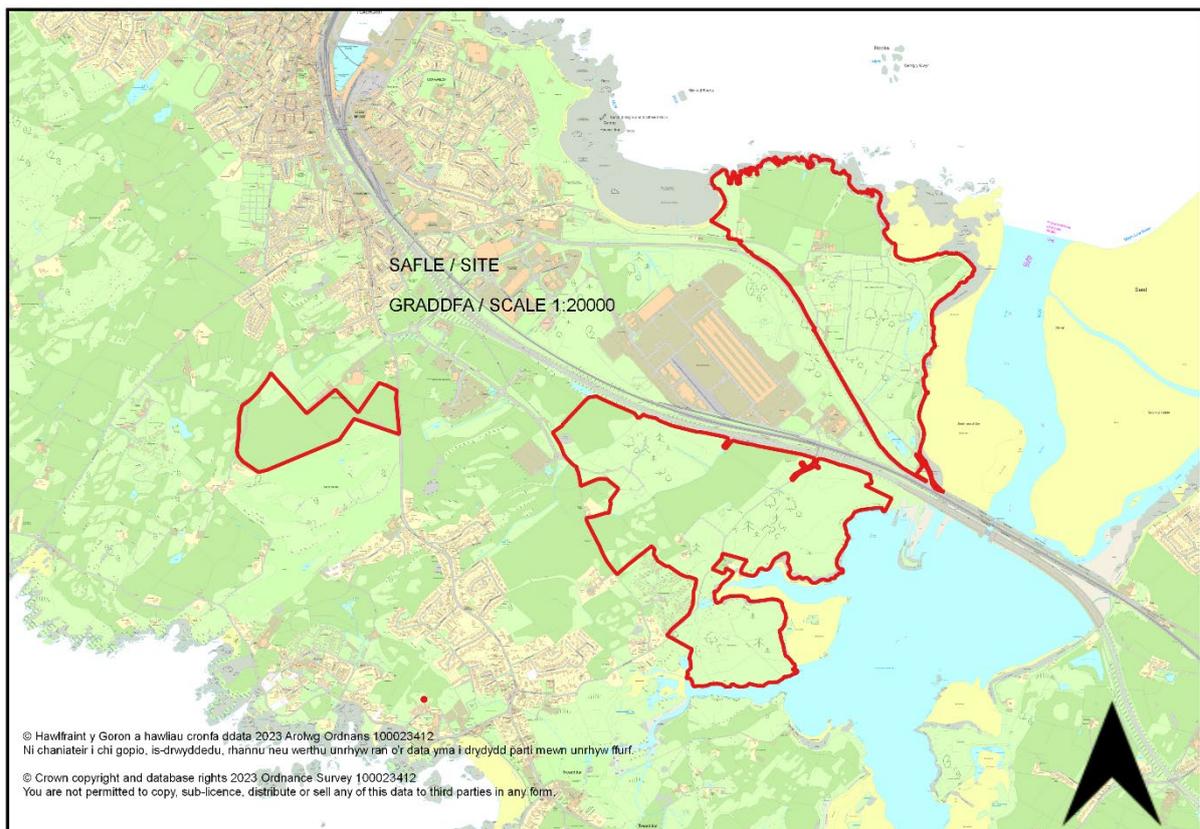
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

**Application Reference: 46C427L/COMP**

**Applicant:** Land and Lakes (Anglesey) Limited

**Description:** Submission of Community Liaison Group Scheme (CLGS) to comply with the Terms of Agreement as set out in Schedule 8, Section 7 and Penrhos Public Access Land Scheme (PPALS) as set out in Schedule 8, Section 13.1 of the Section 106 Agreement attached to planning permission reference 46C427K/TR/EIA/ECON at

**Site Address:** Land and Lakes, Penrhos Coastal Park, Holyhead



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

**Recommendation:** Condition Discharged

#### **Reason for Reporting to Committee**

The application relates to the discharge of obligations of a Section 106 Agreement attached to the consent of an application which was accompanied by an Environmental Impact Assessment. It is therefore referred to the Planning and Orders Committee for determination in accordance with paragraph 3.5.3.10 of the Constitution.

#### **Proposal and Site**

This application seeks to discharge the requirements of Sections 7 and 13.1 of Schedule 8 of the Section 106 Agreement dated 19th April 2016 attached to planning permission reference 46C427K/TR/EIA/ECON in relation to the submission of a Community Liaison Group Scheme (CLGS) and a Penrhos Public Access Land Scheme (PPALS).

The application relates to land at Penrhos, Cae Glas and Kingsland, Holyhead.

## Key Issues

The key issue is whether the information submitted is sufficient to discharge the requirements of the obligations relating to the Community Liaison Group Scheme (CLGS) and the Penrhos Public Access Land Scheme (PPALS).

## Policies

### Joint Local Development Plan

Strategic Policy PS 2: Infrastructure and Developer Contributions  
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 20: Preserving and where Appropriate Enhancing Heritage Assets  
Strategic Policy PS 1: Welsh Language and Culture  
Policy ISA 1: Infrastructure Provision  
Policy ISA 4: Safeguarding Existing Open Space  
Policy ISA 5: Provision of Open Spaces in New Housing Developments  
Policy ISA 2: Community Facilities  
Policy TRA 2: Parking Standards  
Policy TRA 4: Managing Transport Impacts  
Policy PCYFF 4: Design and Landscaping  
Policy PCYFF 3: Design and Place Shaping  
Policy PCYFF 1: Development Boundaries  
Policy PCYFF 2: Development Criteria  
Policy TWR 2: Holiday Accommodation  
Policy TWR 1: Visitor Attractions and Facilities  
Policy AMG 1: Area of Outstanding Natural Beauty Management Plans  
Policy AMG 5: Local Biodiversity Conservation

Planning Policy Wales (Edition 11, February 2021)

### Response to Consultation and Publicity

Consultee	Response
Swyddog Hawliau Tramwy Cyhoeddus/ Public Rights of Way Officer	No comments.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	No comments relating to ecology.
Iechyd yr Amgylchedd / Environmental Health	No response at the time of writing the report.
Cynghorydd Glyn Haynes	No response at the time of writing the report.
Cynghorydd Robert Llewelyn Jones	No response at the time of writing the report.
Cyngor Tref Caergybi / Holyhead Town Council	No response at the time of writing the report.
Cynghorydd Trefor Lloyd Hughes	No response at the time of writing the report.
Cynghorydd John Arwel Roberts	No response at the time of writing the report.
Cynghorydd Dafydd Rhys Thomas	No response at the time of writing the report.
Cyngor Cymuned Trearddur Community Council	No response at the time of writing the report.

Cyfoeth Naturiol Cymru	NRW have reviewed the submitted documentation and confirmed that it is not necessary for them to be part of any meeting groups but are happy to provide input/advice to the Authority as needed in terms of the implications of any discussions for Anglesey AONB or any protected site.
Swyddog Cefn Gwlad a AHNE / Countryside and AONB Officer	No response at the time of writing the report.
Prifffyrdd a Trafnidiaeth / Highways and Transportation	No response at the time of writing the report.

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties and site notices were placed near the site. The latest date for the receipt of any representation was the 02/09/2020.

At the time of writing this report, one representation had been received. The main points raised are summarised below:

- concern regarding the environmental impact of the development
- concern regarding impact on ecology and that the ecology reports not up to date
- concern regarding impact on wildlife i.e. red squirrels, bats, amphibians, birds etc.
- If approved, it is hoped that the Council will ensure that local residents continue to have free access to many parts of the park

### Relevant Planning History

46C427K/TR/EIA/ECON - A hybrid planning application proposing: Outline with all matters reserved except for means of access, for: A leisure village at Penrhos Coastal Park, London Road, Holyhead comprising: up to 500 new leisure units including new lodges and cottages; Central new hub building comprising reception with leisure facilities including indoor sub-tropical water park, indoor sports hall, and cafes, bars, restaurants and retail; Central new Farmer's Market building; Central new spa and leisure building; A new café and watersports centre at the site of the former Boathouse; Demolition of the Bathing House and the construction of a restaurant at its former location; Demolition of other existing buildings including three agricultural barns and three residential dwellings; Providing and maintaining 29 hectares of publicly accessible areas with public car parking and enhancements to the Coastal Path, including: Managed walkways within 15 hectares of woodland, the retention and enhancement of Grace's pond, Lily Pond, Scout's pond with viewing platforms, the Pet Cemetery, War Memorial, the Pump House and picnic area with bird feeding stations and hides with educational and bilingual interpretation signage created throughout; Creation of a new woodland sculpture trail and boardwalks and enhanced connection to the Coastal Path; The beach will continue to be accessible to the public providing safe access to the shallow shelving water; A Combined Heat and Power Centre Land at Cae Glas: The erection of leisure village accommodation and facilities which have been designed to be used initially as a temporary construction workers accommodation complex for Wylfa B at land at Cae Glas, Parc Cybi, Holyhead comprising: Up to 315 lodges which will be initially sub divided for nuclear workers accommodation; Central hub building providing reception and canteen ancillary to accommodation; A Park and Ride facility comprising up to 700 car parking spaces; A new hotel; A lakeside hub comprising restaurant, café, retail and bar; New grass football pitch and cricket pitch; and a Combined Heat and Power Centre. To be subsequently converted (post Wylfa B construction) into an extension to the Penrhos Coastal Park Leisure Village comprising: Refurbished lodges and facility buildings to create high quality holiday accommodation (up to 315 family lodges); A Visitor Centre and Nature Reserve allowing controlled public access; and Heritage Centre with visitor parking. Land at Kingsland: The erection of a residential development which has been designed to be used initially as temporary construction workers accommodation at land at Kingsland, Kingsland Road, Holyhead comprising: Up to 320 new houses to be initially used as temporary construction workers accommodation. To be subsequently converted (post Wylfa B construction) into a residential development comprising: Up to 320 residential dwellings set in high quality landscaping and open spaces. Each phase of development will have ancillary development

comprising car parking, servicing areas, open spaces and plant. Full detail for the change of use of the existing Estate buildings at Penrhos Coastal Park, London Road, Holyhead including the change of use for: The Bailiffs Tower and outbuildings at Penrhos Home Farm from a cricket clubhouse to a visitors information centre, restaurant, café, bars and retail; Home Farm Barn and Cart Buildings from farm buildings to cycle and sports hire centre; The Tower from residential to a Managers accommodation and ancillary office; and Beddmanarch House from residential to a visitors centre. – Permitted 19/4/16

RM/2018/6 - Reserved matters application including details of the appearance, landscaping, layout and scale for raised boardwalk footways and works to trees subject to a Tree Preservation Order on part of the publically accessible area approved under outline planning permission 46C427K/TR/EIA/ECON at the Penrhos Coastal Park, Holyhead at - Land and Lakes, Penrhos Coastal Park, Caergybi / Holyhead – Permit 10/8/20

DIS/2020/92 - Application to discharge conditions (05)(Phasing Plan), (07) (EIA), (14)(Natural stone details), (17)(Full details of all external materials and finishes), (18)(Full details of external materials and colours, construction specifications of any engineered gradients, batters, bunds, all retaining walls and structures, bridges and any associated engineering works), (25)(Full details of all the Existing Traditional Agricultural Landscape and other Features ('ETAL')), (32)(Preliminary Construction Environmental Management Plan('PCEMP')), (33)(Preliminary Construction Traffic Environmental Management Plan ('PCTEMP')), (34)(Soil Management Plan ('SMP')), (35)(Waste Management Plan ('WMP')), (38)(Written Scheme of Investigation of any archaeological remains), (40)(Sustainable Drainage Systems ('SDS Scheme')), (44)(Culvert and Pipe Management Plan), (45)(Ponds and Water Bodies Strategy), (48)(Phased Ecological Plan), (49)(Protected species licenses), (50)(Ecological Monitoring Strategy ('EMS')), (51)(Method statement for protected species), (52)(Details of all measures designed to prevent the incidental capture/killing of amphibians and reptiles), (54)(Great Crested Newt compensation scheme), (55)(Scheme for the retention, enhancement and translocation of existing ground flora), (56)(Scheme for eradication of invasive plant species), (66)(Coastal Path and other public rights of way and cycle routes scheme) and (68)(Details of surface water disposal from the private access and other roads and parking areas) of planning permission 46C427K/TR/EIA/ECON in so far as they relate to reserved matters application RM/2018/6 (Reserved matters application including details of the appearance, landscaping, layout and scale for raised boardwalk footways and works to trees subject to a Tree Preservation Order) only on part of the publicly accessible area - Conditions Partially Discharged – 1/4/21

DIS/2021/33 - Cais i ryddhau amod (73)(Parcio cerbydau, troi a chynllun dadlwytho / llwytho) o ganiatâd cynllunio 46C427K/TR/EIA/ECON yn / Application to discharge condition (73) (Vehicle Parking, Turning and unloading/loading scheme) of planning permission 46C427K/TR/EIA/ECON – Condition Partially Discharged – 16/6/21

46C427M/COMP - Submission of Public Rights of Way to comply with the Terms of Agreement as set out in Schedule 6 of the Section 106 Agreement attached to planning permission ref. 46C427K/TR/EIA/ECON – Permitted 8/2/17

46C427L/COMP – Submission of Community Liaison Group Scheme (CLGS) to comply with the Terms of Agreement as set out in Schedule 8, Section 7 and Penrhos Public Access Land Scheme (PPALS) as set out in Schedule 8, Section 13.1 of the Section 106 Agreement attached to planning permission reference 46C427K/TR/EIA/ECON - No decision

COMP/2021/1 – Submission of information necessary to discharge sections; Schedule 8, Section 1, Clause 1.1; Car Parking and Public Access Strategy – Penrhos Coastal Park Phase. Schedule 8, clause 12.1; Ancient Woodland Scheme – Penrhos Coastal Park Phase. Schedule 8, Section 15, Clause 15.1; Green Linkages Scheme – Penrhos Coastal Park Phase. Schedule 8, Section 17, Clause 17.1; SSSI Management Scheme – Penrhos Coastal Park Phase. Schedule 8, Section 19, Clause 19.1; Ecological Survey and Monitoring Scheme - Penrhos Coastal Park Phase. Schedule 8, Section 19, Clause 19.4; Ecological Compliance Audit - Penrhos Coastal Park Phase. Schedule 8, Section 20, Clause 20.1 – Existing Tree Management Scheme – Penrhos Coastal Park Phase. Schedule 8, Section 21, Clause 21.1 – Warden Service Appointment / Warden Service Annual Reporting – Penrhos Coastal Park Phase. Schedule 8, Section 21, Clause 21.2 – Warden Service, Security obligations / AONB Impact and use of Green Linkages monitoring assessment – Penrhos

Coastal Park Phase. Schedule 8, Section 21, Clause 21.3 – Warden Service, AONB Impact Annual Report commitment – Penrhos Coastal Park Phase. Schedule 9, Section 3, Clause 3.1; Penrhos Leisure Village Phasing Plan – Penrhos Coastal Park Phase. Schedule 11, Section 1, Clause 1.1; Local Labour Plan – Penrhos Coastal Park Phase of the S106 agreement obligations attached to planning permission 46C427K/TR/EIA/ECON - No decision

S106/2020/3 – Submission of 'Penrhos Coastal Park Welsh Language Scheme' under Section 1. (Welsh Language Scheme) of schedule 12 of the Section 106 Agreement completed in connection with planning permission 46C427K/TR/EIA/ECON and the submission of a Deed of Variation to vary the following provisions of this legal agreement: paragraphs 2.1.1 Schedule 8 (Cae Glas Nature Reserve and Visitor Centre Specification), Appendix 2 Bond Table Penrhos Visitor Centre (including the Penrhos Visitor Centre Toilets) and their Maintenance, paragraphs 1.1 and 1.2 of Schedule 12 (Welsh Language Scheme) and the substitution of Plan 2 Penrhos Land Drawing – Plan 2 drawing reference PL1114.VW008 /Rev 03 dated 03/03/2016. - No decision

### **Main Planning Considerations**

Planning permission was granted on the 19th April 2016 under application reference number 46C427K/TR/EIA/ECON for a hybrid development comprising of 3 separate, but interrelated sites of Penrhos, Cae Glas and Kingsland (see Section 5 above for full application description).

The approval was subject to a Section 106 Legal Agreement dated 19th April 2016 and this application seeks to discharge the requirements of Sections 7 and 13.1 of Schedule 8 of the Section 106 Agreement in relation to the submission of a Community Liaison Group Scheme (CLGS) and a Penrhos Public Access Land Scheme (PPALS).

Section 7.1 of the Section 106 Agreement states:

*7.1 The Owner shall submit the Community Liaison Group Scheme to the Council for its written approval within 6 months of the date of the transfer of the Owner's interests in the Land from the Owner to the Developer or to any other third party intending to develop the Land pursuant to the Planning Permission or prior to Commencement of Development (whichever is the earlier), or such longer period as the Council may agree (acting reasonably).*

A Community Liaison Group Scheme (CLGS) dated 16th June 2020 has been submitted. The Scheme details are set out in Section 4 (Constitution) of the document. Section 4.1 assigns the group name as: Penrhos Community Liaison Group (PCLG), Section 4.2 sets out the purpose of the group, Section 4.3 relates to the group Committee, Section 4.5 relates to the group Membership and Section 4.6 relates to the groups' Remit.

Section 13.1 of the Section 106 Agreement states:

*13.1 Within 6 months of the date of the transfer of the Owner's interests in the Land from the Owner to the Developer or to any other third party intending to develop the Land pursuant to the Planning Permission or prior to Commencement of Development (whichever is the earlier), or such longer period as the Council may agree, the Owner shall submit to the Council for its written approval the Penrhos Public Access Land Scheme detailing how the Owner will secure the enhanced management of the Penrhos Public Access Land, Maintain the Penrhos Public Access Land and permit public access to the Penrhos Public Access Land.*

A Penrhos Public Access Land Scheme (PPALS) dated 16th June 2020 has been submitted. The Scheme details are set out in Section 3 of the documents. Section 3.1 relates to the management of the Penrhos Public Access Land, Section 3.2 relates to the maintenance of the Penrhos Public Access Land, Section 3.3 relates to public access to the Penrhos Public Access Land, Section 3.4 relates to review of commitment to the S106 and Section 3.5 relates to the responsibilities of the landowner.

The application has been subject to consultation and publicity. Where relevant, minor revisions have been made to take account of consultee comments, however, no objections or concerns have otherwise been raised by consultees in relation to the form and content of the documents.

One representation has been received in response to the publicity undertaken. The comments are largely irrelevant to the matters under consideration as part of this particular application, however whilst the writer did comment that it was hoped that the Council would ensure that local residents continue to have free access to a reasonably large area of the park they made no specific comments or objections to the submitted PPALS.

The information submitted is therefore sufficient to discharge the requirements of Sections 7 and 13.1 of the Section 106 Agreement dated 19th April 2016 attached to planning permission reference 46C427K/TR/EIA/ECON relating to land at Penrhos, Cae Glas and Kingsland, Holyhead.

### **Conclusion**

The information submitted is sufficient to discharge the requirements of Sections 7 and 13.1 of the Section 106 Agreement dated 19th April 2016 attached to planning permission reference 46C427K/TR/EIA/ECON relating to land at Penrhos, Cae Glas and Kingsland, Holyhead.

### **Recommendation**

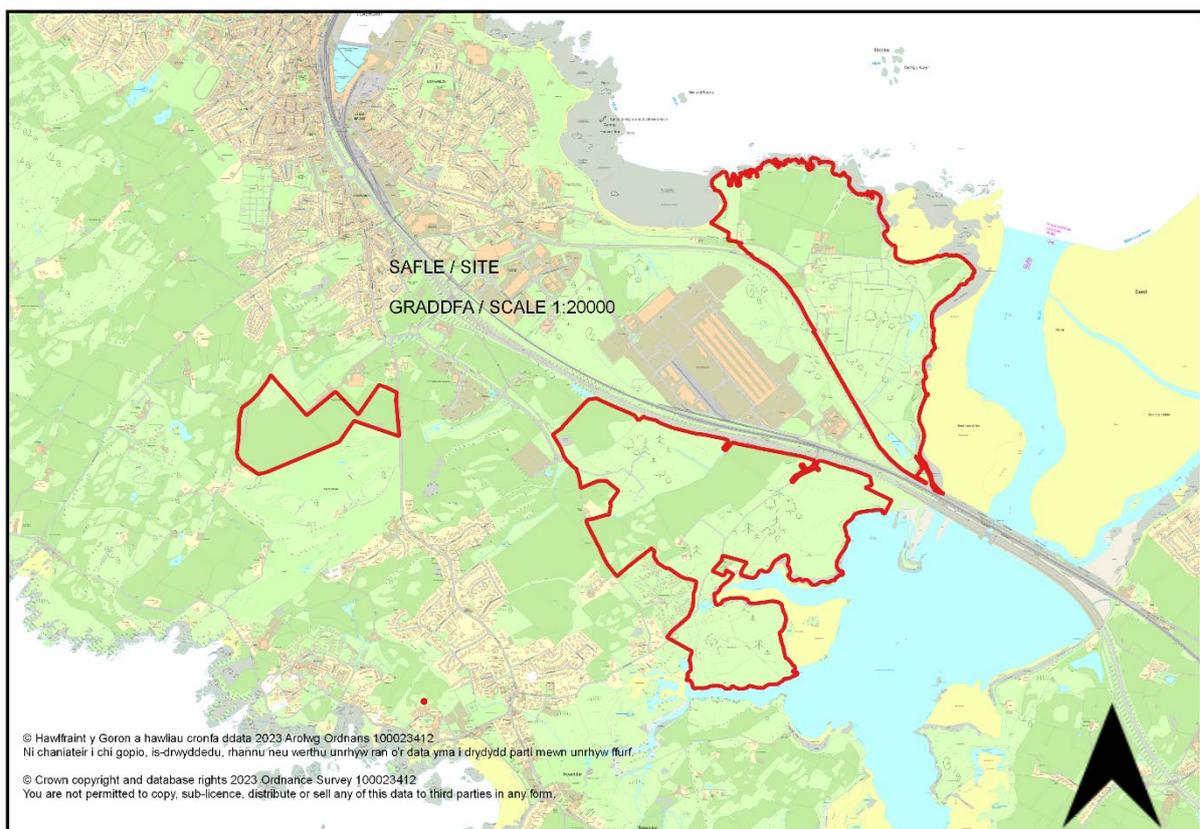
The details submitted under application 46C427L/COMP are considered acceptable and meet the requirements of Section 7 (Community Liaison Group Scheme) and Section 13.1 (Penrhos Public Access Land Scheme) of Schedule 8 of the Section 106 Agreement dated 19th April 2016 attached to planning permission reference 46C427K/TR/EIA/ECON and are therefore hereby discharged.

**Application Reference: COMP/2021/1**

**Applicant:** Land and Lakes (Anglesey) Limited

**Description:** Submission of information necessary to discharge sections; Schedule 8, Section 1, Clause 1.1; Car Parking and Public Access Strategy – Penrhos Coastal Park Phase. Schedule 8, clause 12.1; Ancient Woodland Scheme – Penrhos Coastal Park Phase. Schedule 8, Section 15, Clause 15.1; Green Linkages Scheme – Penrhos Coastal Park Phase. Schedule 8, Section 17, Clause 17.1; SSSI Management Scheme – Penrhos Coastal Park Phase. Schedule 8, Section 19, Clause 19.1; Ecological Survey and Monitoring Scheme - Penrhos Coastal Park Phase. Schedule 8, Section 19, Clause 19.4; Ecological Compliance Audit - Penrhos Coastal Park Phase. Schedule 8, Section 20, Clause 20.1 – Existing Tree Management Scheme – Penrhos Coastal Park Phase. Schedule 8, Section 21, Clause 21.1 – Warden Service Appointment / Warden Service Annual Reporting – Penrhos Coastal Park Phase. Schedule 8, Section 21, Clause 21.2 – Warden Service, Security obligations / AONB Impact and use of Green Linkages monitoring assessment – Penrhos Coastal Park Phase. Schedule 8, Section 21, Clause 21.3 – Warden Service, AONB Impact Annual Report commitment – Penrhos Coastal Park Phase. Schedule 9, Section 3, Clause 3.1; Penrhos Leisure Village Phasing Plan – Penrhos Coastal Park Phase. Schedule 11, Section 1, Clause 1.1; Local Labour Plan – Penrhos Coastal Park Phase of the S106 agreement obligations attached to planning permission 46C427K/TR/EIA/ECON at

**Site Address:** Land and Lakes, Penrhos Coastal Park, Holyhead



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

**Recommendation:** Condition Discharged

## Reason for Reporting to Committee

The planning application is presented to the planning committee at the request of the local member.

## Proposal and Site

This is a planning application to discharge relevant sections of the Section 106 agreement in relation to planning application 46C427K/TR/EIA/ECON for the Penrhos Coastal Park only

## Key Issues

The key issue is whether the information submitted is sufficient to discharge relevant sections as mentioned in the description.

## Policies

### Joint Local Development Plan

PS4 – Sustainable transport, development and accessibility  
TRA2 – Parking Standards  
TRA4 – Managing Transport Impacts  
PS5 – Sustainable Development  
PCYFF2 – Development Criteria  
PCYFF3 – Design and Place Shaping  
PCYFF4 – Design and Landscaping  
PS19 – Conserving and where appropriate enhancing the natural environment  
AMG1 – Area of Outstanding Natural Beauty  
AMG3 – Protecting and enhancing features and qualities that are distinctive to the local landscape character  
AMG4 – Coastal Protection  
AMG5 – Local Biodiversity Conservation  
PS20 – Preserving and where appropriate enhancing heritage assets

## Response to Consultation and Publicity

Consultee	Response
Cynghorydd John Arwel Roberts	No response
Cyngor Tref Caergybi / Holyhead Town Council	No response
Cynghorydd Dafydd Rhys Thomas	No response
Cyngor Cymuned Trearddur Community Council	No response
Cynghorydd Glyn Haynes	No response
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	No response
Cynghorydd Robert Llewelyn Jones	Requested that the planning application is called into the planning committee for consideration.
Cynghorydd Trefor Lloyd Hughes	No response
Rheolwr Polisi a Strategaeth / Policy & Strategy Manager	No response
Prifffyrdd a Trafnidiaeth / Highways and Transportation	No response
Swyddog Hawliau Tramwy Cyhoeddus/ Public Rights of Way Officer	No response

Swyddog Cefn Gwlad a AHNE / Countryside and AONB Officer	No response
Ymgynghorydd Tirwedd / Landscape Advisor	No objection
Ymgynghorydd Treftadaeth / Heritage Advisor	No response
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objection
Mwynau a Gwastraff / Minerals & Waste	No response
Dwr Cymru Welsh Water	No comments
Uned Datblygu Economaidd / Economic Development Unit	No response
GCAG / GAPS	No comments
Cadw Scheduled Monuments	No response
Ymgynghoriadau Cynllunio YGC	No comments
Adain Eiddo / Property Section	No comments
Iechyd yr Amgylchedd / Environmental Health	No response
Ymgynghorydd Treftadaeth / Heritage Advisor	No response
Sioned L Jones / Coastal Access Project Officer	No comments
Cynghorydd Jeff M. Evans	No response

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties and site notices were placed near the site. The latest date for the receipt of any representation was the 19/08/2021. At the time of writing this report 182 formal objection letters had been received and 500 web comments had been received. The main reasons for objection as follows:-

- Impact on SSSI, AONB and Special Protection Area (SPA)
- Impact on ecology (particularly red squirrels)
- Minimal impact on economy
- Insufficient local amenities and infrastructure to support development, Strain on health care, emergency services, sewage systems etc.
- No affordable homes for Holyhead
- Proposal does not consider Wales Future Generations Act 2015
- Impact on Coastline
- Destruction of 27 acres of mature trees which is Ancient Woodland
- No demand now Wylfa not going ahead
- Impact on TPO's and ancient woodland
- Additional Traffic and impact on pedestrian safety
- Climate Change and Global Warming

- The development could negatively impact local businesses
- Impact on Welsh Language
- Loss of pet cemetery
- No need for the development
- Overdevelopment of the site
- Visual Impact
- Out of Keeping with the area
- Detrimental impact on local amenity, noise etc.
- Insufficient parking within the development
- No allocation for waste recycling within the development
- Demolishing Historical Buildings
- Not sustainable
- The development does not override public interest
- Important for mental health and wellbeing
- Need for open green space in Holyhead

Impact on Listed Buildings nearby

Other issues

- Area should remain as wildlife reserve
- Conflict of interest of previous Head of Planning and link to Land and Lakes
- Use the park to walk and relax
- More suitable areas to develop
- Plenty of empty, dilapidated houses that developers could turn into holiday homes
- Enough holiday homes in the area
- Lack of consultation and transparency by developer
- Impact on Valley as vehicles will leave A55 at Valley junction.

In response to the objection letters and comments made, this planning application is to discharge the relevant sections of the S106 agreement. The planning application has already been approved and consideration will be given to whether the information submitted with this planning application is sufficient to discharge the relevant section of the S106 agreement for the Penrhos Coastal Park site only.

### **Relevant Planning History**

46C427K/TR/EIA/ECON - A hybrid planning application proposing: Outline with all matters reserved except for means of access, for: A leisure village at Penrhos Coastal Park, London Road, Holyhead

comprising: up to 500 new leisure units including new lodges and cottages; Central new hub building comprising reception with leisure facilities including indoor sub-tropical water park, indoor sports hall, and cafes, bars, restaurants and retail; Central new Farmer's Market building; Central new spa and leisure building; A new café and watersports centre at the site of the former Boathouse; Demolition of the Bathing House and the construction of a restaurant at its former location; Demolition of other existing buildings including three agricultural barns and three residential dwellings; Providing and maintaining 29 hectares of publicly accessible areas with public car parking and enhancements to the Coastal Path, including: Managed walkways within 15 hectares of woodland, the retention and enhancement of Grace's pond, Lily Pond, Scout's pond with viewing platforms, the Pet Cemetery, War Memorial, the Pump House and picnic area with bird feeding stations and hides with educational and bilingual interpretation signage created throughout; Creation of a new woodland sculpture trail and boardwalks and enhanced connection to the Coastal Path; The beach will continue to be accessible to the public providing safe access to the shallow shelving water; A Combined Heat and Power Centre Land at Cae Glas: The erection of leisure village accommodation and facilities which have been designed to be used initially as a temporary construction workers accommodation complex for Wylfa B at land at Cae Glas, Parc Cybi, Holyhead comprising: Up to 315 lodges which will be initially sub divided for nuclear workers accommodation; Central hub building providing reception and canteen ancillary to accommodation; A Park and Ride facility comprising up to 700 car parking spaces; A new hotel; A lakeside hub comprising restaurant, café, retail and bar; New grass football pitch and cricket pitch; and a Combined Heat and Power Centre. To be subsequently converted (post Wylfa B construction) into an extension to the Penrhos Coastal Park Leisure Village comprising: Refurbished lodges and facility buildings to create high quality holiday accommodation (up to 315 family lodges); A Visitor Centre and Nature Reserve allowing controlled public access; and Heritage Centre with visitor parking. Land at Kingsland: The erection of a residential development which has been designed to be used initially as temporary construction workers accommodation at land at Kingsland, Kingsland Road, Holyhead comprising: Up to 320 new houses to be initially used as temporary construction workers accommodation. To be subsequently converted (post Wylfa B construction) into a residential development comprising: Up to 320 residential dwellings set in high quality landscaping and open spaces. Each phase of development will have ancillary development comprising car parking, servicing areas, open spaces and plant. Full detail for the change of use of the existing Estate buildings at Penrhos Coastal Park, London Road, Holyhead including the change of use for: The Bailiffs Tower and outbuildings at Penrhos Home Farm from a cricket clubhouse to a visitors information centre, restaurant, café, bars and retail; Home Farm Barn and Cart Buildings from farm buildings to cycle and sports hire centre; The Tower from residential to a Managers accommodation and ancillary office; and Beddmanarch House from residential to a visitors centre. – Permitted 19/4/16

RM/2018/6 - Reserved matters application including details of the appearance, landscaping, layout and scale for raised boardwalk footways and works to trees subject to a Tree Preservation Order on part of the publically accessible area approved under outline planning permission 46C427K/TR/EIA/ECON at the Penrhos Coastal Park, Holyhead at - Land and Lakes, Penrhos Coastal Park, Caergybi / Holyhead – Permit 10/8/20

DIS/2020/92 - Application to discharge conditions (05)(Phasing Plan), (07) (EIA), (14)(Natural stone details), (17)(Full details of all external materials and finishes), (18)(Full details of external materials and colours, construction specifications of any engineered gradients, batters, bunds, all retaining walls and structures, bridges and any associated engineering works), (25)(Full details of all the Existing Traditional Agricultural Landscape and other Features ('ETAL')), (32)(Preliminary Construction Environmental Management Plan('PCEMP')), (33)(Preliminary Construction Traffic Environmental Management Plan ('PCTEMP')), (34)(Soil Management Plan ('SMP')), (35)(Waste Management Plan ('WMP')), (38)(Written Scheme of Investigation of any archaeological remains), (40)(Sustainable Drainage Systems ('SDS Scheme')), (44)(Culvert and Pipe Management Plan), (45)(Ponds and Water Bodies Strategy), (48)(Phased Ecological Plan), (49)(Protected species licenses), (50)(Ecological Monitoring Strategy ('EMS')), (51)(Method statement for protected species), (52)(Details of all measures designed to prevent the incidental capture/killing of amphibians and reptiles), (54)(Great Crested Newt compensation scheme), (55)(Scheme for the retention, enhancement and translocation of existing ground flora), (56)(Scheme for eradication of invasive plant species), (66)(Coastal Path and other public rights of way and cycle routes scheme) and (68)(Details of surface water disposal from the private access and other roads and parking areas) of planning permission 46C427K/TR/EIA/ECON in so far as they relate to reserved matters application

RM/2018/6 (Reserved matters application including details of the appearance, landscaping, layout and scale for raised boardwalk footways and works to trees subject to a Tree Preservation Order) only on part of the publicly accessible area - Conditions Partially Discharged – 1/4/21

DIS/2021/33 - Application to discharge condition (73) (Vehicle Parking, Turning and unloading/loading scheme) of planning permission 46C427K/TR/EIA/ECON – Condition Partially Discharged – 16/6/21

46C427M/COMP - Submission of Public Rights of Way to comply with the Terms of Agreement as set out in Schedule 6 of the Section 106 Agreement attached to planning permission ref. 46C427K/TR/EIA/ECON – Permitted 8/2/17

46C427L/COMP – Submission of Community Liaison Group Scheme (CLGS) to comply with the Terms of Agreement as set out in Schedule 8, Section 7 and Penrhos Public Access Land Scheme (PPALS) as set out in Schedule 8, Section 13.1 of the Section 106 Agreement attached to planning permission reference 46C427K/TR/EIA/ECON

COMP/2021/1 – Submission of information necessary to discharge sections; Schedule 8, Section 1, Clause 1.1; Car Parking and Public Access Strategy – Penrhos Coastal Park Phase. Schedule 8, clause 12.1; Ancient Woodland Scheme – Penrhos Coastal Park Phase. Schedule 8, Section 15, Clause 15.1; Green Linkages Scheme – Penrhos Coastal Park Phase. Schedule 8, Section 17, Clause 17.1; SSSI Management Scheme – Penrhos Coastal Park Phase. Schedule 8, Section 19, Clause 19.1; Ecological Survey and Monitoring Scheme - Penrhos Coastal Park Phase. Schedule 8, Section 19, Clause 19.4; Ecological Compliance Audit - Penrhos Coastal Park Phase. Schedule 8, Section 20, Clause 20.1 – Existing Tree Management Scheme – Penrhos Coastal Park Phase. Schedule 8, Section 21, Clause 21.1 – Warden Service Appointment / Warden Service Annual Reporting – Penrhos Coastal Park Phase. Schedule 8, Section 21, Clause 21.2 – Warden Service, Security obligations / AONB Impact and use of Green Linkages monitoring assessment – Penrhos Coastal Park Phase. Schedule 8, Section 21, Clause 21.3 – Warden Service, AONB Impact Annual Report commitment – Penrhos Coastal Park Phase. Schedule 9, Section 3, Clause 3.1; Penrhos Leisure Village Phasing Plan – Penrhos Coastal Park Phase. Schedule 11, Section 1, Clause 1.1; Local Labour Plan – Penrhos Coastal Park Phase of the S106 agreement obligations attached to planning permission 46C427K/TR/EIA/ECON

S106/2020/3 – Submission of 'Penrhos Coastal Park Welsh Language Scheme' under Section 1. (Welsh Language Scheme) of schedule 12 of the Section 106 Agreement completed in connection with planning permission 46C427K/TR/EIA/ECON and the submission of a Deed of Variation to vary the following provisions of this legal agreement: paragraphs 2.1.1 Schedule 8 (Cae Glas Nature Reserve and Visitor Centre Specification), Appendix 2 Bond Table Penrhos Visitor Centre (including the Penrhos Visitor Centre Toilets) and their Maintenance, paragraphs 1.1 and 1.2 of Schedule 12 (Welsh Language Scheme) and the substitution of Plan 2 Penrhos Land Drawing – Plan 2 drawing reference PL1114.VW008 /Rev 03 dated 03/03/2016.

### **Main Planning Considerations**

Schedule 8, Section 1, Clause 1.1; Car Parking and Public Access Strategy -

Prior to the commencement of construction of each stage of the development the owner was required to submit details of the car parking and public access strategy in respect of each phase. The applicant has submitted details confirming that these obligations have been met and will continue to be met until the land identified to be part of the development area is reasonably required for this purpose. Details of when access to the public car park and associated toilets have been submitted as part of the application. Full public accessibility to the whole of the Penrhos Access Land has been maintained since the transfer of ownership and will continue until some or all of the Private Open Space and Development Area will be 'reasonably required.

Schedule 8, clause 12.1; Ancient Woodland Scheme -

Clause 12.1 required that the owner submitted an Ancient Woodland Scheme to the Council for its written approval detailing obligations and measures which the owner will undertake to ensure the retention and maintenance of the Ancient Woodland.

The details submitted have been forwarded to the Senior Landscape and Tree Officer has confirmed that there are no area of ancient woodland within Penrhos Coastal Park.

#### Schedule 8, Section 15, Clause 15.1; Green Linkages Scheme -

Clause 15.1 requires that prior to the commencement of construction of each phase the owner shall submit a Green Linkages Scheme in respect of that phase to the Council for its written approval detailing the obligations and measures which the Owner will undertake to ensure the laying out of the Green Linkages together with the means of public access (as appropriate) to the D=Green Linkages the Maintenance and management of the Green Linkages the location and timing of the delivery of the Gren Linkages.

Green Linkages means a scheme containing details and the location of the sustainable and safe connections for walking and cycling within all Phases of the Development and linking to adjacent uses and features, public transport and neighbouring land and ecological and landscape connectivity between areas within or adjacent to the development and to be provided as part of every phase or sub phase.

The existing Green Linkages within the Penrhos Coastal Park comprise; the Public Right of Way, including the now designated Penrhos Coastal Path and PRow 38 / Sustrans Cycle route 8; Permissive Public footpaths within the Coastal Park.

In addition to the existing routes the owner proposes several additional walkways within the Coastal Park and these have been approved under planning application reference number RM/2018/6.

No objections were raised by the Public Footpath Officer

#### Schedule 8, Section 17, Clause 17.1; SSSI Management Scheme -

Clause 17.1 required that the owner submitted a SSSI Management Scheme which included details of the access arrangement to the SSSI including restricting recreational use and maritime activities within the vicinity of the SSSI, protection of protected species and details of contaminated land and the potential for leachate into the SSSI.

The SSSI Management Plan submitted confirmed that the owner has established a Penrhos Coastal Park Warden team to operate and maintain the accessible public park. The team undertake all operational and maintenance duties, maintain site safety and security and dialogue with the visiting public.

The statement also confirmed that the owner has periodically commissioned coastal bird surveys from 2011 to date. The statement stated that the owner is committed to ensuring the continuing protection of the Beddmanarch-Cymyran SSSI and its coastal habitats and birds and that the footpath networks improvement works will not result in any increase in public pressure on the SSSI and may service to divert users away from the main coastal footpath and the SSSI.

Natural Resource Wales and the Ecological Adviser confirmed that they were happy with the details submitted within the Management Plan.

#### Schedule 8, Section 19, Clause 19.1; Ecological Survey and Monitoring Scheme

Prior to the commencement of works on site the owner was required to submit an Ecological Survey and Monitoring Scheme which detailed a timetable to carry out ecological surveys, monitoring and reporting procedures on the surveys and monitoring undertaken, methodology for the Ecological Compliance Audit and details of the Compensatory Habitat and Species Enhancement Areas including the timing of their delivery and their location.

An Ecological Monitoring Strategy has been submitted.

The Ecological Adviser confirmed that additions and changes were made at the time that the documents were submitted under planning application reference DIS/2020/92. Natural Resource Wales also confirmed that they had no objection to the details submitted.

#### Schedule 8, Section 19, Clause 19.4; Ecological Compliance Audit

Clause 19.4 required that an Ecological Compliance Audit was submitted once the Ecological Survey and Monitoring Scheme was approved.

An Ecological Compliance Audit has been submitted as part of the application and Natural Resource Wales have confirmed that the details submitted are acceptable.

#### Schedule 8, Section 20, Clause 20.1 – Existing Tree Management Scheme

There was a requirement for the applicant to submit an Existing Tree Management Scheme to the Local Planning Authority prior to the commencement of construction of the Penrhos Phase or Cae Glas Phase 1 detailing the obligations and measures which the owner would undertake to ensure the retention, maintenance and enhancement of the existing trees.

The landscape officer has confirmed that these issues were agreed in the planning application DIS/2020/92 and no further amendments are required. The information submitted is sufficient to discharge the requirements of this section for the Penrhos Coastal Park.

#### Schedule 8, Section 21, Clause 21.1 – Warden Service Appointment / Warden Service Annual Reporting

This obligation requires;

A suitably qualified or experienced Warden (whose job specification shall be first approved in writing by the Council) shall be appointed by the Owner prior to Commencement of Development and at the cost of the Owner to ensure compliance with a list of different schemes. The obligation goes on to state that from commencement of development an annually thereafter it shall produce an annual report detailing the measures taken to comply with the requirements of the schedule in relation to the maintenance areas and any instance of non-compliance with any plan, scheme or requirement of this schedule in relation to the maintenance areas and how any non-compliance has been or will be addressed and setting out any actions to be taken in the following year.

In response to this obligation, in respect of Warden Service Appointment, the applicant has provided proposals regarding scope of appointment and contract requirements. The proposals are provided in Section 3.2.1 of Appendix B4 - Warden Service Appointment.

In respect of the annual reporting, the applicant has provided proposals regarding the Warden Service appointment and contract requirements. These proposals are provided in Section 3.2.2 of Appendix B4 - Warden Service Appointment.

In response to this obligation, in respect of Security within the Coastal Park, the applicant has provided proposals regarding the Warden Service appointment and contract requirements. These proposals are provided in Section 3.2.3 of Appendix B4 - Warden Service Appointment.

The information submitted is sufficient to discharge the requirements of this section for the Penrhos Coastal Park.

#### Schedule 8, Section 21, Clause 21.2 – Warden Service, Security obligations / AONB Impact and use of Green Linkages monitoring assessment

The obligation states that the owner shall be responsible for the ongoing provision of adequate security/warden presence in respect to all areas of the land to which the public are permitted access in accordance with the terms of the agreement. Prior to the commencement of development, a suitably qualified or experienced warden (who may be the same person as appointed for the purposes

of paragraph 21.1 above) shall be appointed at the cost of the owner to monitor the impact of the development on the AONB and the use of Green Linkages from the Development to the AONB.

In response to this obligation, in respect of AONB impact and use of Green Linkages monitoring, the applicant has provided proposals regarding the Warden Service Appointment and contract requirements. These proposals are provided in Section 3.2.4 of Appendix B4 - Warden Service Appointment

The information submitted is sufficient to discharge the requirements of this section for the Penrhos Coastal Park.

Schedule 8, Section 21, Clause 21.3 – Warden Service, AONB Impact Annual Report commitment –

The requirements of this section states that the Warden shall from the commencement of the development and annually thereafter produce an annual report and provide a copy to the council detailing the impact on the AONB, any mitigation provided and setting out any actions to be taken in the following year to manage and mitigate any impacts on the AONB.

In response to this obligation, in respect of AONB impact annual reporting, the applicant has provided proposals regarding the Warden Service appointment and contract requirements. These proposals are provided in Section 3.2.5 of Appendix B4 - Warden Service Appointment

The information submitted is in relation to Penrhos Coastal Park only.

Schedule 9, Section 3, Clause 3.1; Penrhos Leisure Village Phasing Plan

The requirement of this section was as follows:-

Prior to the commencement of construction of the Penrhos Phase the owner shall submit to the council for its written approval a phasing plan showing how Penrhos Phase 1, Phase 2 and Phase 3 will be delivered.

The applicant has provided phasing information for the following phases:-

Penrhos Coastal Park – Preliminary Phase

Penrhos Phase 1 – Penrhos Leisure Village

Penrhos Phase 2 – Penrhos Leisure Village

Penrhos Phase 3 – Penrhos Leisure Village

The information submitted is sufficient to discharge the requirements of this section for the Penrhos Coastal Park.

Schedule 11, Section 1, Clause 1.1; Local Labour Plan

The requirement of this section was as follows:-

Prior to the commencement of construction of each phase the owner shall submit to the Council for the council's written approval a Local Labour Plan in relation to that Phase which shall include details of the Owner's proposals to promote the employment of persons resident in the Geographic Area and the engagement of local contractors, tradespeople and businesses as part of the relevant phase or part thereof.

The applicant has prepared and submitted a Local Labour Plan and is limited to the initial phase of work at Penrhos Coastal Park only.

The Local Labour Plan provides the scope of appointment and contract requirements

Contractor Location - Land and Lakes will adopt general terms of appointment of contractors such as contractor location – preferably from the geographic area of Anglesey. Should a wider area need to be considered, this should be limited to North Wales.

Welsh Language Obligations – The contractors selected must be able to meet the requirements of the PCP phase Welsh Language Scheme as agreed with the Council.

Health and Safety – Contractors must provide compliance with current H+S regulations

Insurance – Contractors must hold current Public Liability insurance and Employer’s Liability Insurance Cover of a minimum of £10M

Materials and Supplies – All materials and supplies to be obtained as locally as possible preferably from geographic area of Anglesey, if not available limited to North Wales.

Cleaning and Hygiene – Sub-contractors to be sourced locally

Workforce Appointments – Should additional workforce be required to fulfil contracts at Penrhos Coastal Park, these, posts, including all obligations, are to be advertised and appointed locally, unless qualification, skill and experience needs cannot be met.

The information submitted is sufficient to discharge the requirements of this section for the Penrhos Coastal Park.

### **Conclusion**

To discharge the relevant sections of the S106 obligations in relation to the Penrhos Coastal Park only.

### **Recommendation**

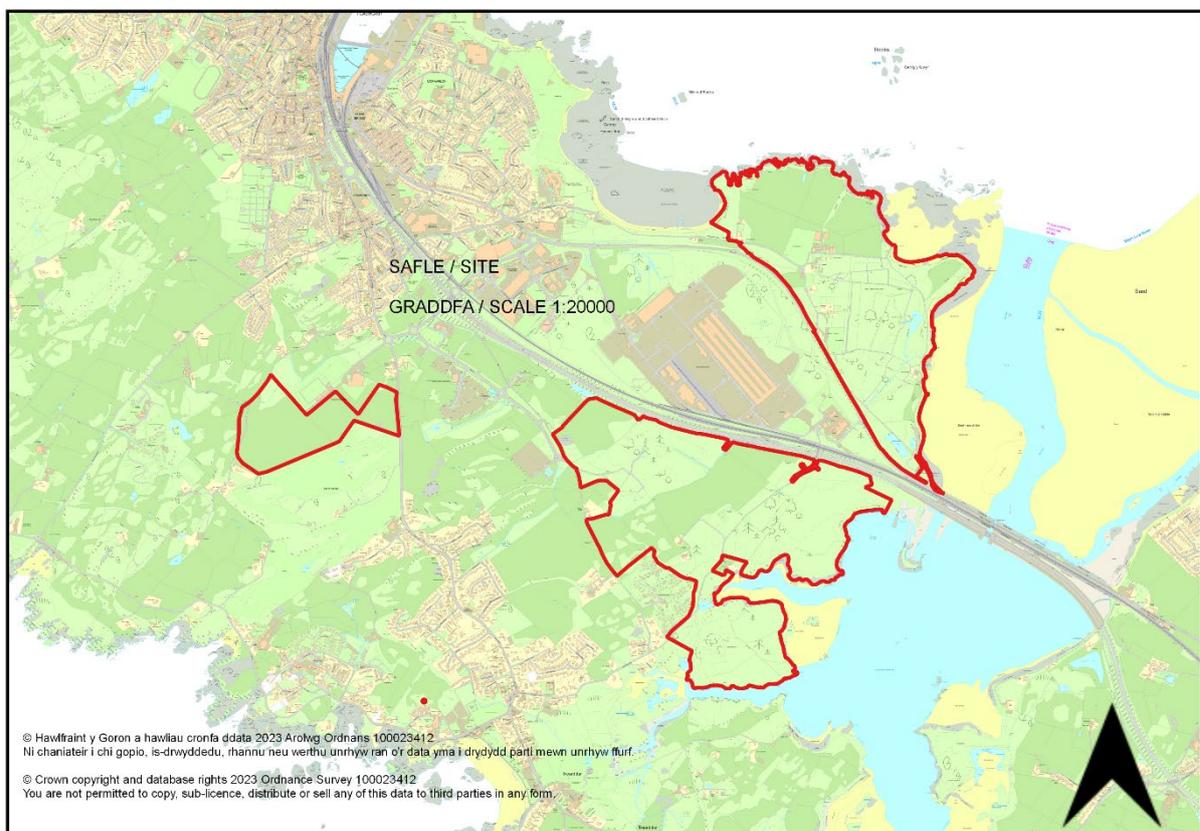
Condition Discharged

**Application Reference: S106/2020/3**

**Applicant:** Land and Lakes (Anglesey) Limited

**Description:** Submission of 'Penrhos Coastal Park Welsh Language Scheme' under Section 1. (Welsh Language Scheme) of schedule 12 of the Section 106 Agreement completed in connection with planning permission 46C427K/TR/EIA/ECON and the submission of a Deed of Variation to vary the following provisions of this legal agreement: paragraphs 2.1.1 Schedule 8 (Cae Glas Nature Reserve and Visitor Centre Specification), Appendix 2 Bond Table Penrhos Visitor Centre (including the Penrhos Visitor Centre Toilets) and their Maintenance, paragraphs 1.1 and 1.2 of Schedule 12 (Welsh Language Scheme) and the substitution of Plan 2 Penrhos Land Drawing – Plan 2 drawing reference PL1114.VW008 /Rev 03 dated 03/03/2016.

**Site Address:** Land and Lakes, Penrhos Coastal Park, Holyhead



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

The planning application is presented to the planning committee at the request of the local member.

**Proposal and Site**

This is a planning application to discharge relevant sections of the Section 106 agreement in relation to planning application 46C427K/TR/EIA/ECON for the Penrhos Coastal Park only.

## Key Issues

The key issue is whether the information submitted is sufficient to discharge relevant sections as mentioned in the description.

## Policies

### Joint Local Development Plan

Policy PCYFF 1: Development Boundaries

Supplementary Planning Guidance - Planning and the Welsh Language (2007)

Strategic Policy PS 1: Welsh Language and Culture

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

## Response to Consultation and Publicity

Consultee	Response
Cynghorydd Glyn Haynes	No observations received.
Rheolwr Polisi a Strategaeth / Policy & Strategy Manager	<p>In an email of the 13/01/2021 observations are made on the Welsh Language Scheme.</p> <p>In an email of the 16/02/2021 additional comments on the Welsh language scheme.</p> <p>In an email of the 04/03 2021 it is confirmed that there are no further observations on the Welsh Language Scheme.</p>
Cynghorydd Trefor Lloyd Hughes	No observations received.
Cynghorydd John Arwel Roberts	No observations received.
Cynghorydd Dafydd Rhys Thomas	No observations received.
Cyngor Tref Caerdybi / Holyhead Town Council	No observations received.
Cyngor Cymuned Trearddur Community Council	No response received.
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	In an email of the 04/03/2021 it is confirmed that the JPPU have no further observations of the Welsh Language Scheme.
Cynghorydd Robert Llewelyn Jones	No observations received.

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties and site notices were placed near the site. The latest date for the receipt of any representation was the 19/08/2021. At the time of writing this report 1 formal objection letter had been received. The main reasons for objection as follows:-

- Impact on SSSI, AONB and Special Protection Area (SPA)
- Loss of visitor attraction
- Need for open green space in Holyhead
- Minimal impact on economy

In response to the objection letter made, this planning application is to discharge the relevant sections of the S106 agreement. The planning application has already been approved and consideration will be given to whether the information submitted with this planning application is sufficient to discharge the relevant section of the S106 agreement for the Penrhos Coastal Park site only.

## Relevant Planning History

46C427K/TR/EIA/ECON - A hybrid planning application proposing: Outline with all matters reserved except for means of access, for: A leisure village at Penrhos Coastal Park, London Road, Holyhead comprising: up to 500 new leisure units including new lodges and cottages; Central new hub building comprising reception with leisure facilities including indoor sub-tropical water park, indoor sports hall, and cafes, bars, restaurants and retail; Central new Farmer's Market building; Central new spa and leisure building; A new café and watersports centre at the site of the former Boathouse; Demolition of the Bathing House and the construction of a restaurant at its former location; Demolition of other existing buildings including three agricultural barns and three residential dwellings; Providing and maintaining 29 hectares of publicly accessible areas with public car parking and enhancements to the Coastal Path, including: Managed walkways within 15 hectares of woodland, the retention and enhancement of Grace's pond, Lily Pond, Scout's pond with viewing platforms, the Pet Cemetery, War Memorial, the Pump House and picnic area with bird feeding stations and hides with educational and bilingual interpretation signage created throughout; Creation of a new woodland sculpture trail and boardwalks and enhanced connection to the Coastal Path; The beach will continue to be accessible to the public providing safe access to the shallow shelving water; A Combined Heat and Power Centre Land at Cae Glas: The erection of leisure village accommodation and facilities which have been designed to be used initially as a temporary construction workers accommodation complex for Wylfa B at land at Cae Glas, Parc Cybi, Holyhead comprising: Up to 315 lodges which will be initially sub divided for nuclear workers accommodation; Central hub building providing reception and canteen ancillary to accommodation; A Park and Ride facility comprising up to 700 car parking spaces; A new hotel; A lakeside hub comprising restaurant, café, retail and bar; New grass football pitch and cricket pitch; and a Combined Heat and Power Centre. To be subsequently converted (post Wylfa B construction) into an extension to the Penrhos Coastal Park Leisure Village comprising: Refurbished lodges and facility buildings to create high quality holiday accommodation (up to 315 family lodges); A Visitor Centre and Nature Reserve allowing controlled public access; and Heritage Centre with visitor parking. Land at Kingsland: The erection of a residential development which has been designed to be used initially as temporary construction workers accommodation at land at Kingsland, Kingsland Road, Holyhead comprising: Up to 320 new houses to be initially used as temporary construction workers accommodation. To be subsequently converted (post Wylfa B construction) into a residential development comprising: Up to 320 residential dwellings set in high quality landscaping and open spaces. Each phase of development will have ancillary development comprising car parking, servicing areas, open spaces and plant. Full detail for the change of use of the existing Estate buildings at Penrhos Coastal Park, London Road, Holyhead including the change of use for: The Bailiffs Tower and outbuildings at Penrhos Home Farm from a cricket clubhouse to a visitors information centre, restaurant, café, bars and retail; Home Farm Barn and Cart Buildings from farm buildings to cycle and sports hire centre; The Tower from residential to a Managers accommodation and ancillary office; and Beddmanarch House from residential to a visitors centre. – Permitted 19/4/16

RM/2018/6 - Reserved matters application including details of the appearance, landscaping, layout and scale for raised boardwalk footways and works to trees subject to a Tree Preservation Order on part of the publically accessible area approved under outline planning permission  
46C427K/TR/EIA/ECON at the Penrhos Coastal Park, Holyhead at - Land and Lakes, Penrhos Coastal Park, Caergybi / Holyhead – Permit 10/8/20

DIS/2020/92 - Application to discharge conditions (05)(Phasing Plan), (07) (EIA), (14)(Natural stone details), (17)(Full details of all external materials and finishes), (18)(Full details of external materials and colours, construction specifications of any engineered gradients, batters, bunds, all retaining walls and structures, bridges and any associated engineering works), (25)(Full details of all the Existing Traditional Agricultural Landscape and other Features ('ETAL')), (32)(Preliminary Construction Environmental Management Plan('PCEMP')), (33)(Preliminary Construction Traffic Environmental Management Plan ('PCTEMP')), (34)(Soil Management Plan ('SMP')), (35)(Waste Management Plan ('WMP')), (38)(Written Scheme of Investigation of any archaeological remains), (40)(Sustainable Drainage Systems ('SDS Scheme')), (44)(Culvert and Pipe Management Plan), (45)(Ponds and Water Bodies Strategy), (48)(Phased Ecological Plan), (49)(Protected species licenses), (50)(Ecological Monitoring Strategy ('EMS')), (51)(Method statement for protected species),

(52)(Details of all measures designed to prevent the incidental capture/killing of amphibians and reptiles), (54)(Great Crested Newt compensation scheme), (55)(Scheme for the retention, enhancement and translocation of existing ground flora), (56)(Scheme for eradication of invasive plant species), (66)(Coastal Path and other public rights of way and cycle routes scheme) and (68)(Details of surface water disposal from the private access and other roads and parking areas) of planning permission 46C427K/TR/EIA/ECON in so far as they relate to reserved matters application RM/2018/6 (Reserved matters application including details of the appearance, landscaping, layout and scale for raised boardwalk footways and works to trees subject to a Tree Preservation Order) only on part of the publicly accessible area - Conditions Partially Discharged – 1/4/21

DIS/2021/33 - Application to discharge condition (73) (Vehicle Parking, Turning and unloading/loading scheme) of planning permission 46C427K/TR/EIA/ECON – Condition Partially Discharged – 16/6/21

46C427M/COMP - Submission of Public Rights of Way to comply with the Terms of Agreement as set out in Schedule 6 of the Section 106 Agreement attached to planning permission ref.

46C427K/TR/EIA/ECON – Permitted 8/2/17

46C427L/COMP – Submission of Community Liaison Group Scheme (CLGS) to comply with the Terms of Agreement as set out in Schedule 8, Section 7 and Penrhos Public Access Land Scheme (PPALS) as set out in Schedule 8, Section 13.1 of the Section 106 Agreement attached to planning permission reference 46C427K/TR/EIA/ECON

COMP/2021/1 – Submission of information necessary to discharge sections; Schedule 8, Section 1, Clause 1.1; Car Parking and Public Access Strategy – Penrhos Coastal Park Phase. Schedule 8, clause 12.1; Ancient Woodland Scheme – Penrhos Coastal Park Phase. Schedule 8, Section 15, Clause 15.1; Green Linkages Scheme – Penrhos Coastal Park Phase. Schedule 8, Section 17, Clause 17.1; SSSI Management Scheme – Penrhos Coastal Park Phase. Schedule 8, Section 19, Clause 19.1; Ecological Survey and Monitoring Scheme - Penrhos Coastal Park Phase. Schedule 8, Section 19, Clause 19.4; Ecological Compliance Audit - Penrhos Coastal Park Phase. Schedule 8, Section 20, Clause 20.1 – Existing Tree Management Scheme – Penrhos Coastal Park Phase. Schedule 8, Section 21, Clause 21.1 – Warden Service Appointment / Warden Service Annual Reporting – Penrhos Coastal Park Phase. Schedule 8, Section 21, Clause 21.2 – Warden Service, Security obligations / AONB Impact and use of Green Linkages monitoring assessment – Penrhos Coastal Park Phase. Schedule 8, Section 21, Clause 21.3 – Warden Service, AONB Impact Annual Report commitment – Penrhos Coastal Park Phase. Schedule 9, Section 3, Clause 3.1; Penrhos Leisure Village Phasing Plan – Penrhos Coastal Park Phase. Schedule 11, Section 1, Clause 1.1; Local Labour Plan – Penrhos Coastal Park Phase of the S106 agreement obligations attached to planning permission 46C427K/TR/EIA/ECON

S106/2020/3 – Submission of 'Penrhos Coastal Park Welsh Language Scheme' under Section 1. (Welsh Language Scheme) of schedule 12 of the Section 106 Agreement completed in connection with planning permission 46C427K/TR/EIA/ECON and the submission of a Deed of Variation to vary the following provisions of this legal agreement: paragraphs 2.1.1 Schedule 8 (Cae Glas Nature Reserve and Visitor Centre Specification), Appendix 2 Bond Table Penrhos Visitor Centre (including the Penrhos Visitor Centre Toilets) and their Maintenance, paragraphs 1.1 and 1.2 of Schedule 12 (Welsh Language Scheme) and the substitution of Plan 2 Penrhos Land Drawing – Plan 2 drawing reference PL1114.VW008 /Rev 03 dated 03/03/2016.

## **Main Planning Considerations**

The main elements of the application subject to this report are as below:

- Amend paragraph 2.1.1 of part 8 of the legal agreement so that a Nature Reserve required in phase 1 of Cae Glas is provided prior to the commencement of the holiday development at Penrhos as opposed to any development in Penrhos (ie Penrhos Phase 1 instead Penrhos Phase as defined in the legal agreement).
- Row 15 of Appendix 2 (Bond Table) "Penrhos Visitor Center" Amend agreement so that the "bond" is required prior to commencement of the holiday development at Penrhos as opposed to any development in Penrhos (ie Penrhos Phase 1 instead of the Penrhos Phase as defined in the legal agreement).

- Paragraph 1.1 Schedule 12 Amendment to the requirement to submit the Welsh Language Scheme from 12 months to 3 months before the start of any "Phase" or "Sub Phase".
- Paragraph 1.2 of Schedule 12 currently requires that no construction shall commence in relation to any phase until a Welsh Language Scheme for that Phase has been approved in writing by the council. The change being applied for permits the applicants to submit a Welsh Language Scheme for a Sub Phase in accordance with the definition in the legal agreement. Pursuant of the change being applied for a Welsh Language Scheme is submitted for the Penrhos Coastal Park which is sub phase under the terms of the legal agreement.
- Correct a plan in the original legal agreement by the superseding Section 106 Plan 2- Penrhos Land Drawing revision 03 for revision 04 dated 19th April 2016.

The amendments to the legal agreement listed above are all considered acceptable, in reaching this conclusion regard has been had of Circular 13/97.

Relevant consultees are satisfied with the final version of the Welsh Language Scheme which was amended having regard to comments provided by the council. Having regard to the comments and all material planning policy considerations the Welsh Language Scheme in so far as it relates to Penrhos Coastal Park is considered to be acceptable

An objection has been received but the comments made relate to the merits of developing area and is not at issue or material in the determination of the current application.

### **Conclusion**

Having considered all material considerations which are summarised above approval is recommended.

In accord with the duty under regulation 3 of the EIA (Wales) Regulations 2016 the Local Planning has considered the information provided with this application and having taken into account that the scope of the development assessed for EIA purposes under planning permission 46C427K/TR/EIA/ECON it is considered that the baseline and the likely significant effects are the same such that approval is granted.

### **Recommendation**

- a) That council completes the Deed of Variation so as to amend the legal agreement completed on 19 April 2016 as part of planning permission 46C427K/TR/EIA/ECON.
- b) Upon completion of the Deed of Variation that the Welsh Language Scheme (February 2021) is approved by the council in so far as it relates to the "Penrhos Public Access Land" as defined in the legal agreement completed on 19 April 2016.