

Application Reference: FPL/2022/186

Applicant: Mr & Mrs Brian Jones

Description: Change of use of agricultural land into touring caravan park, change of use of existing building to use ancillary to the caravan park together with the installation of a package treatment plant at

Site Address: Esgobaeth Bran, Llanbedrgoch



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

Recommendation: Permit

Reason for Reporting to Committee

The application is presented to the planning committee on the request of two of the local members due to local concern.

Proposal and Site

This is an application for the change of use of agricultural land into touring caravan park for up to 14 caravans, change of use of existing building to use ancillary to the caravan park together with the installation of a package treatment plant at Esgobaeth Bran, Llanbedrgoch.

The land is currently vacant and used for grazing of animals.

Key Issues

The key issues are:-

- Policy Considerations
- Highway Considerations
- Sustainability
- Landscape
- Drainage
- Protected sites and Ecological Considerations
- Welsh Language
- Impact on Adjacent Residential Properties
- Archaeology
 - Best and Most Versatile Agricultural Land

Policies

Joint Local Development Plan

- PS 1: Welsh Language and culture
- PS 4: Sustainable transport, development and accessibility
- TRA 2 Parking standards
- TRA4: Managing Transport Impacts
- PS 5: Sustainable Development
- PS6: Alleviating and Adapting to the Effects of Climate Change
- PCYFF 1: Development Boundaries
- PCYFF 2: Development Criteria
- PCYFF 3: Design and Place shaping
- PCYFF 4: Design and Landscaping
- PS 14: The Visitor Economy
- TWR 1: Visitor attractions and facilities
- TWR5: Touring caravan, camping and temporary alternative camping accommodation
- PS 19: Conserving and where appropriate enhancing the natural Environment
- AMG3: Protecting and enhancing features and qualities that are distinctive to the local landscape character.
- AMG 5: Local biodiversity conservation

Planning Policy Wales Edition 11

Technical Advice Note 5: Nature Conservation and Planning

Technical Advice Note 6: Sustainable Rural Communities

Technical Advice Note 12: Design

Technical Advice Note 13: Tourism

Technical Advice Note 18: Transport

Technical Advice Note 23: Economic

Technical Advice Note 20: Planning and the Welsh Language

Supplementary Planning Guidance: Urban and Rural Environment

Supplementary Planning Guidance: Holiday Accommodation

Supplementary Planning Guidance: Maintaining Distinctive and Sustainable Communities

Response to Consultation and Publicity

Consultee	Response
Cyngor Cymuned Llanddyfnan Community Council	The road leading up to the site is not adequate for cars towing a caravan. The road is used by pedestrians walking, cyclists and people riding horses.
Cynghorydd Non Lewis Dafydd	A request to call in the planning application to the planning committee due to local concerns.
Cynghorydd Paul Charles Ellis	A request to call in the planning application to the planning committee due to local concern.
Cynghorydd Dylan Rees	No response at the time of writing the report.
Draenio Gwynedd / Gwynedd Drainage	No observations to offer in terms of land drainage or local flood risk.
Priffyrdd a Trafnidiaeth / Highways and Transportation	Highways has confirmed that the entrance is able to provide sufficient visibility, they have also confirmed that the additional traffic would not cause any highway concern due to the road being very lightly trafficked. The travel plan will also help with ensuring a reduction in larger vehicles meeting on the road and the Highways Authority has confirmed that they are satisfied with the passing bays identified as part of the planning application.
Polisi Cynllunio / Planning Policy	Standard Policy Comments
GCAG / GAPS	Despite some archaeological potential in the broader landscape, there are no recommendations in this instance.
Ymgynghorydd Tirwedd / Landscape Advisor	Conditional approval to ensure planting scheme is completed.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Conditional approval to ensure the ecological mitigation is carried out.
Iechyd yr Amgylchedd / Environmental Health	Standard comments in relation to hours of working and general information regarding the need to comply with the Caravan Sites and Control of Development Act 1960 and Caravan Site Licence Conditions.
Cyfoeth Naturiol Cymru	NRW has provided comments in relation to Protected Sites such as the SAC, SSSI and Protected Species Survey. NRW recommend conditional approval of the application.
Dwr Cymru Welsh Water	Standard Advice and confirmation that the proposal is to utilise an alternative to mains drainage.

The application was advertised by posting letters to neighbouring properties, the expiry date to receive representations was the 8/9/22. At the time of writing the report 44 web comments had been received and 40 formal letters received.

The objections received as follows:-

- Wrong commercial enterprise in the wrong place
- Highway Safety and Increase in Traffic
- No formal passing places from the start of Lon Gwenfro in the village to the site
- Proposed passing places not accurate and insufficient
- Existing passing places identified are all inter-visible
- Passing bays identified in location 1-4 not adequate
- Impact on neighbours using the entrances identified as formal passing bays
- Narrow lane with blind spots with no verges and road in poor condition
- Car accidents have occurred on this lane
- Operational Traffic Management Plan will not work
- Visual impact
- Noise pollution
- Flooding
- Impact on Biodiversity
- Increase in sewage and waste management
- Waste Water Treatment not addressed sufficiently
- Not a sustainable location
- No economic benefit
- Faulty Traffic Count
- No need for another caravan site
- No public footpaths on the lane
- No public notice placed on site
- The area is of significant conservation interest including one of only 4 sites for the rare Frog Orchid,
- Impact on SSSI, Anglesey Fens SAC
- Caravan on site that does not have planning permission
- Caravan and Camping has opened within a short distance of the site.

In response to the comments raised

- The proposal has been considered against the relevant policies of the JLDP
- The Highways Authority has confirmed that the access and road leading to the site is sufficient to cater for the development and they are also happy with the Operational Travel Plan provided with the application. The Highways Authority has not expressed concern on the traffic count information submitted with the planning application. The Highways Authority is also satisfied with the passing bays identified as part of this planning application.
- It is not considered that the proposal will cause visual impact and this will be addressed further in the report.
- There will be some noise pollution but it is not considered that the development would cause noise impact which would impact the amenities of adjacent residential property due to the distance away from residential properties and the intervening uses such as trees, hedges and the road
- Drainage will be dealt with via a Treatment Plant and Waste will also be dealt with appropriately through a commercial waste proposal. NRW and the ecologist is satisfied that the drainage scheme will not impact on the SAC or SSSI.
- It is considered that there is a choice of travel modes in the vicinity of the site, this will be addressed further in the report.
- The application site is not within the flood zone.
- The regulations do not state that a site notice must be placed on site. Adjacent residential properties have been notified of the development on numerous occasions.
- An ecological report has been received with the planning application and ecological mitigation measures have been outlined in the report. These will be conditioned as part of any approval.

- There will be economic benefit from the proposal as holiday makers will make use of tourist attractions, shops, restaurants etc
- Even though there are caravan sites nearby, this is not a consideration under Policy TWR 5 of the JLDP
- It is acknowledged that there are no footpaths on the lane.
- The caravan on the land is not part of this planning application; however, the enforcement team have been notified of this caravan.
- The recent caravan and caravan club site has had approval through the camping and caravanning club and not by the local planning authority.

Relevant Planning History

None

Main Planning Considerations

Proposal

The proposal is a change of use of agricultural land into touring caravan park for up to 14 caravans, change of use of existing building to be used as a WC/shower, plant and store room together with the installation of a package treatment plant at Esgobaeth Bran, Llanbedrogoch.

Policy Considerations

Policy PCYFF 1 'Development Boundaries' states that development outside development boundaries will be resisted unless it is in accordance with specific policies in this plan or national planning policies or that the proposal demonstrates that its location in the countryside is essential.

The main policy consideration is Policy TWR 5: Touring Caravan, Camping and Alternative Camping Accommodation. The policy states:

Proposals for new touring caravan, camping and temporary alternative camping sites, extensions to existing sites or additional pitches will be granted provided they conform to the following criteria:

That the proposed development is of a high quality in terms of design, layout and appearance, and is sited in an unobtrusive location which is well screened by existing landscape features and/or where the units can be readily assimilated into the landscape in a way which does not significantly harm the visual quality of the landscape;

There are trees and hedges located on the boundaries of the application site with further trees and hedges located between the site and the highway. A landscape and visual impact assessment has been provided with the planning application to assess the sites visual impact from local views. The application site is not a prominent site, it is considered that the site sits low within the landscape with glimpses of the site coming from a Southern direction; there are some trees on the North Eastern boundary of the site but the site is open on the North and West boundary. The existing dwelling screens the majority of the site and other trees nearby screens the site well, the hedges on the roadside also screens the site well.

Avoids excessive areas of hard standing;

The proposal does not include any permanent features such as concrete basis or a concrete track. The intention is to have as little permanent features as possible. Grass reinforcement will only be introduced to the entrance of the field otherwise the field will remain as it is at present.

3. Have limited physical connection to the ground and is capable of being removed off the site out of season;

There will be no physical connection to the ground and the touring caravans would be removed off site out of season.

Any ancillary facilities should, if possible, be located within an existing building or as an extension to existing facilities. If no suitable buildings are available, the need for additional facilities needs to be clearly demonstrated and commensurate with the scale of the development.

Criteria 4 of Policy TWR 5 states that additional facilities will need to be within existing buildings before considering the erection of a totally new building. The proposal does entail using an existing building on the site to be used as WC and shower facilities for the caravan site.

5. That the site is close to the main highway network and that adequate access can be provided without significantly harming landscape characteristics and features;

The application site is close to the main highway network. The Highways Authority have provided comments and this will be discussed later in the report.

6. Occupation is limited to holiday use.

Any permission would be limited to holiday use.

That the site is used for touring purposes only and any units are removed from the site during periods not in use.

Any permission would require the touring units to be removed from the site during periods not in use.

Chapter 5 of Planning Policy Wales recognises that a wide range of activities, facilities and types of development is vital to economic prosperity and job creation and that tourism can be a catalyst for regeneration, improvement of the built environment and environmental protection. It recognises that in rural areas, tourism-related development is an essential element in providing for a healthy and diverse economy.

Technical Advice Note 13: Tourism (1997) and TAN 6: Planning for Sustainable Communities (2010) is also relevant and contains advice such as the location of development.

The overarching strategic policy for tourism in the JLDP is Policy PS14: The Visitor Economy. There are a number of considerations that are relevant to the majority of proposals. These include high quality development in terms of design, layout and appearance. The primary consideration will be the overall quality of the proposal against policies of the JLDP.

Highways

A Transport Statement has been received with the planning application which confirms that the access has a visibility splay of 2.4m x 80m in a South Westerly direction and a 2.4m x 113m visibility splay in the North Easterly direction. The statement confirms that there have been no recorded accidents or near misses along the single lane highway leading up to the site in the last 10 years. The transport statement confirms that the traffic generated by the development will not have a detrimental impact on the Highway.

An Operational Travel Plan has been provided with the planning application to ensure that the touring caravans have a staggered arrival and departure times which will negate the possibility of two touring units meeting on the lane. The Travel Plan will be a condition of any such approval.

The Highways Authority has confirmed that they are satisfied with the Transport Statement and Operational Travel Plan provided with the planning application. They have confirmed that the visibility splay for the existing access is sufficient and that the traffic generated from the site would not have a detrimental impact upon road safety. The proposal identifies 4 formal passing bays, two of these will be

able to accommodate two cars passing each other and two passing bays will be of sufficient width to accommodate a car passing a vehicle towing a caravan. Passing bays number 2 and 3 will need minor improvements which can be accommodated within the highway boundary in order to provide sufficient passing width. The works to improve these passing bays will be conditioned to ensure that they have been completed prior to the use of the caravan site. The Highways Authority has confirmed that the 4 passing bays identified are acceptable and meet the needs of this planning application.

It is therefore considered that the proposal complies with Policy TRA4 of the Joint Local Development Plan.

Sustainability

Strategic Policy PS4: Sustainable Transport, Development and Accessibility states that development should be located so as to minimise the need to travel. Proposals should improve and maximise accessibility for all modes of transport, but particularly by foot, cycle and public transport. This will be achieved by securing convenient access via footways, cycle infrastructure and public transport, thereby encouraging the use of these modes of travel for local journeys and reducing the need to travel by private car.

Strategic Policy PS5: Sustainable Development also states that development will be supported where it is demonstrated that they are consistent with the principles of sustainable development. Criteria 12 states that reducing the need to travel by private transport and encouraging the opportunities for all users to travel when required as often as possible by means of alternative modes, placing particular emphasis on walking, cycling and using public transport in accordance with Strategic Policy PS4. Although proposals necessitating the use of private vehicles are not prohibited through the JLDP, Policy PS 5 promotes the application of sustainable development principles in all new developments, including directing development towards the most appropriate locations and reducing the need to travel by private transport.

The site is located in the open countryside, there are several Public Right of Ways (PROW) in close proximity of the site. The nearest bus stop is within approximately 1.45km from the site, Red Wharf Bay is located 3.11km away, Benllech is located 4km away and Llangefni is located 6.15km away. Benllech and Llangefni provides a range of different shops and facilities.

The proposed site is located in close proximity of a number of PROW, while these footpath routes would take longer to navigate, they provide options for those who wish to walk to Red Wharf Bay, Benllech and Llangefni. A bus stop is within walking distance which provides alternative modes of travel to the car. It is therefore considered that there will be a choice of travel modes for holiday makers using the site.

Landscape

An assessment of the sites visual impact from local views has been provided with the planning application which provides an analysis of local landscape character. The land is not a prominent site and the land is low lying within the landscape with glimpses of the site coming from a Southern direction; there are some trees on the North Eastern boundary of the site but the site is open to the North and West. The existing dwelling screens the majority of the site and other trees nearby screens the site well.

Even though the site is not prominent, it is considered that the site should strengthen the landscape on the site. The proposed site plan indicates that a hedgerow will be planted on the North East, South East, North West and South West boundaries with a total of 14 no new trees planted along the boundaries of the site. This will help with any views of the site and also acts as a biodiversity enhancement. An alder hedge is also proposed around the perimeter of the soakaway mound.

A condition will be placed on the permission to ensure that the landscaping work is carried out in the first season after the use commences.

Drainage

The proposal includes the installation of a treatment plant and soakaway to serve the WC and shower building.

There is no main foul sewer network located in the vicinity of the site, the foul drainage will discharge into a drainage mound located in a paddock area north east of the new toilet block. The treatment plans and soakaway will cater for an average 64 persons. As the development is for touring caravans, a 3,000 litre sluice tank will be provided to accept any chemical toilet waste from the units. The sluice tank is a stand alone unit which will contain the waste from the chemical toilets and will be emptied by a licensed carrier and disposed of in a safe and proper manner. The sluice tank will not be connected to the treatment plant system.

A watercourse crosses through the application site, then flows into the Corsydd Mon SAC. The SAC is sensitive to eutrophication and any direct discharge from the Treatment Plant into the watercourse may have an adverse impact on the protected site. The proposal therefore intends to discharge the foul water to ground to prevent any adverse impact on the protected site.

A mound soakaway of approx. 285 square metres will be constructed to accept the treated water from the treatment plant. The pipework within the mound is approx. 42m from the nearest point of the watercourse and the treatment plant is in excess of 50m from the watercourse. As the water percolates through the permeable layers within the mound, the water will be treated further prior to being discharged to the ground. The drainage mound would be constructed to comply with BS6297/Approved Document H (Wales) 2010.

The Graf Klaro Treatment Plant is used to reduce phosphate and nitrate during the treatment process.

The applicant will need an environmental permit for the private sewage treatment system from NRW.

The addition of an Alder hedge will further reduce phosphate.

Protected Sites and Ecological Considerations

SAC/SSSI and Protected Species

As stated above a watercourse crosses through the application site, then flows into the Corsydd Mon SAC. The application site is located within 519m of the SAC.

Natural Resources Wales initially objected to the proposal as the proposal would impact the SAC; however, since the drainage scheme has been amended to include a sluice tank for the chemical toilets which will be emptied by a licensed carrier and disposed of in a safe and proper manner, NRW are now satisfied that the proposal will not impact the SAC or the SSSI providing the developer adheres to pollution prevention guidelines. A condition will be placed on the permission to ensure that no construction cement etc will discharge to the nearby watercourse.

A protected species survey was received with the planning application and identified that the boundary features provide potential commuting and foraging opportunities for bats. The survey also identifies that red squirrels are using the application site within the ash tree that is to be removed due to ash die-back. Section 7 of the protected species survey confirms that there is similar habitat available in close proximity and that the proposals include a new tree line to be planted replacing the diseased ash tree. The proposal also includes ecological enhancements such as further landscaping and hedge planting and two bat boxes and two squirrel boxes will be installed on mature trees within the ownership boundary.

NRW confirms that the proposed development represents a lower risk for bats and the proposal is not likely to be detrimental to the maintenance of the population of the species concerned. NRW are also satisfied that the mitigation measures for squirrels have been adequately addressed. A condition will be

placed on any approval to ensure that the mitigation measures contained in the Protected Species Survey is complied with.

The ecological advisor has advised of the need to achieve overall biodiversity enhancement, in accordance with Policy AMG5 and in view of the Council's duty under the Environment Wales Act (2016) to seek to maintain and enhance biodiversity whilst carrying out its functions. The ecologist is satisfied with the level of ecological enhancement proposed as part of the application and has also suggested that three swallow concrete nest cup boxes are installed on the toilet block building. This will be a condition of any approval granted. The ecologist has also screened out the application under Regulation 63 of the Conservation of Habitat and Species Regulations 2017.

The Welsh Language

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

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

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

Impact upon the amenities of residential properties – Policy PCYFF2 (criteria 7) states that development will be refused where the proposed development would have an unacceptable adverse impact on the health, safety or amenity of occupiers of local residences, other land and property uses or characteristics of the locality due to increased activity, disturbance, vibration, noise, dust, fumes, litter, drainage, light pollution, or other forms of pollution or nuisance.

Lon Llydan Park is located approximately 160m away and the residential property known as Ty Gwyn is located approximately 250m away. It is not considered that the proposed caravan site would have an impact on the amenities of adjacent residential properties.

Gwynedd Archaeological Planning Service

Gwynedd Archaeological Planning Service has confirmed that whilst there is some potential for sub-surface archaeology in the area, especially relating to settlement peripheral to Llanbedrgoch itself, there is no recommendation for evaluation in this instance.

Best and Most Versatile Agricultural Land

The Predictive ALC Map shows the site as predicted Grade 2.

Strategic Policy PS6 (Criteria 6) states: Safeguarding the best and most versatile agricultural land, promoting allotments, support opportunities for local food production and farming in order to reduce the area's contribution to food miles.

Planning Policy Wales Edition 11 states:

3.54 Agricultural land of grades 1, 2 and 3a of the Agricultural Land Classification system (ALC)1 is the best and most versatile, and should be conserved as a finite resource for

the future.

3.55 When considering the search sequence and in development plan policies and development management decisions considerable weight should be given to protecting such land from development, because of its special importance. Land in grades 1, 2 and 3a 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. If land in grades 1, 2 or 3a does need to be developed, and there is a choice between sites of different grades, development should be directed to land of the lowest grade.

The land in question is Grade 2 'Good quality' and is not considered 'previously developed land'. Planning Policy Wales states that weight should be given to protecting such land from development unless there is an overriding need for the development.

The proposal does not include any permanent concrete pitches or permanent roads within the proposed field, this will ensure that the land can be easily grazed out of season.

Conclusion

It is considered that the proposal complies with the requirements of Policy TWR5, the site has a choice of travel modes such as public rights of way and a bus stop within walking distance. The Highways Department has confirmed that they are satisfied with the access, the additional traffic using the road and the passing places identified as part of the planning application. It is not considered that the proposal would have a negative impact upon the landscape or any protected sites listed within the main body of the report. The proposal provides biodiversity gain in accordance with the Environment Wales Act 2016. There are no immediate residential properties that would be affected by the development due to the distances achieved between the site and the intervening uses, such as the road, trees and hedges and the topography of the land. It is considered that the proposal complies with all relevant policies listed within the main body of 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.

(02) All planting in the approved details of landscaping (contained in plan reference 2948:21:3B shall be carried out in the first planting seasons following the use of the site or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The planting shall be retained for the life of the development hereby approved.

Reason: In order that the proposal integrates into its surroundings as per requirements of PCYFF 4.

(03) The Bat Boxes shall be erected in accordance with the Proposed Site Plan 2948:21:3B before the use hereby approved commences.

Reason: To enhance biodiversity and for the avoidance of doubt.

(04) The development shall take place in accordance with the Mitigation Measures contained within the Clwydian Ecology Ltd's Preliminary Ecological Assessment dated 30th June, 2022 submitted under application reference FPL/2022/186.

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

(05) No more than 14 touring caravan pitches (to include motorhomes) shall be placed on the site at any one time and they shall be positioned in accordance with Drawing number 2948:21:3B submitted with planning application FPL/2022/186.

Reason: For the avoidance of doubt and to safeguard visual amenities

(06) No touring caravans or motorhomes shall be permitted on the site before 1st March in any year or after 31st October in the same calendar year.

Reason: To ensure that the development is implemented in accord with the approved detail and in the interest of the appearance of the locality.

(07) Use of the touring site as approved under this permission shall be for holiday purposes only and a register of the use of pitches shall be maintained and shall be made available for inspection by the Local Planning Authority at all times.

Reason: For the avoidance of doubt and to prevent inappropriate uses in this countryside area.

(08) No touring caravan units or motor homes shall be placed on the site until the drainage scheme for the site is installed and is fully operational.

Reason: To ensure that the development is adequately drained.

(09) Any external lighting to be installed on the site shall be submitted to and approved in writing by the Local Planning Authority prior to installation. Details shall include full specifications of all external lights, a plan showing any light spillage on the application site and surrounding land; specifications and heights of any columns, bollards or other such fixtures. The Lighting Scheme shall be designed to maximise energy efficiency and to prevent light pollution. The development shall thereafter be carried out in accordance with the Lighting Scheme approved under the provisions of this condition and then operated and maintained in accordance with the approved scheme for the lifetime of the development.

Reason: To safeguard the amenities of occupants of the surrounding properties.

(10) 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 Site Plan – 2948:21:3B**
- **Toilet/Shower Block Proposed Floorplans and Elevations – 2948:22:5**
- **Klargester Drawing – DS0439 Issue 5**
- **Drainage Plan – AO/LS/01**
- **Alder Details -**
- **Traffic Management Plan/Operational Travel Plan – August 2022**
- **Preliminary Ecological Assessment (Revised) by Cambrian Ecology Ltd – 30th June, 2022**
- **Transport Statement dated August 2022**
- **Visual Appraisal and Landscape Strategy – April 2022**
- **Structural Report – Engineering Cyf – dated 3rd May 2022**
- **Location Plan – 2949:21:1B**
- **Passing Bays – LLG/23/01 Rev B**
- **Passing Bay 1 – LLG/23/03 Rev B**
- **Passing Bay 2 - LLG/23/02 Rev C**
- **Passing Bay 3 - LLG/23/04 Rev C**

- **Passing Bay 4 – LLG/23/05 Rev B**
- **Grass Reinforcement and Gravel Reinforcement and Gravel Retention**

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

(11) 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

(12) No development shall commence until a Construction Environmental Management Plan “CEMP” has been submitted to and approved in writing by the Local Planning Authority. All work must proceed in accordance with the approved details:-

**Full details of the location of any cement mixing during the construction phase and measures taken to ensure cement/dust will not enter the nearby water drains and local watercourses.
Full details of where materials and waste materials will be stored on site.**

Reason: To safeguard against any impact the construction of the development may have on local watercourse.

(13) Prior to the commencement of any works on site, detailed plans shall be submitted to and approved in writing by the Local Planning Authority in respect of improvements to passing bay 2 and passing bay 3 in accordance with Drawing Numbers LLG/23/02 Rev C and LLG/23/04 Rev C.

Reason: In the interest of highway safety

(14) The improvements to passing bay 2 and passing bay 3 as per Drawing Numbers LLG/23/02 Rev C and LLG/23/04 Rev C shall be completed to the satisfaction of the highway authority prior to the caravan site becoming operational.

Reason: In the interest of highway safety

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PS1, PS4, TRA2, TRA4, PS5, PS6, PCYFF1, PCYFF2, PCYFF3, PCYFF4, PS14, TWR1, TWR5, PS19, AMG3, AMG5

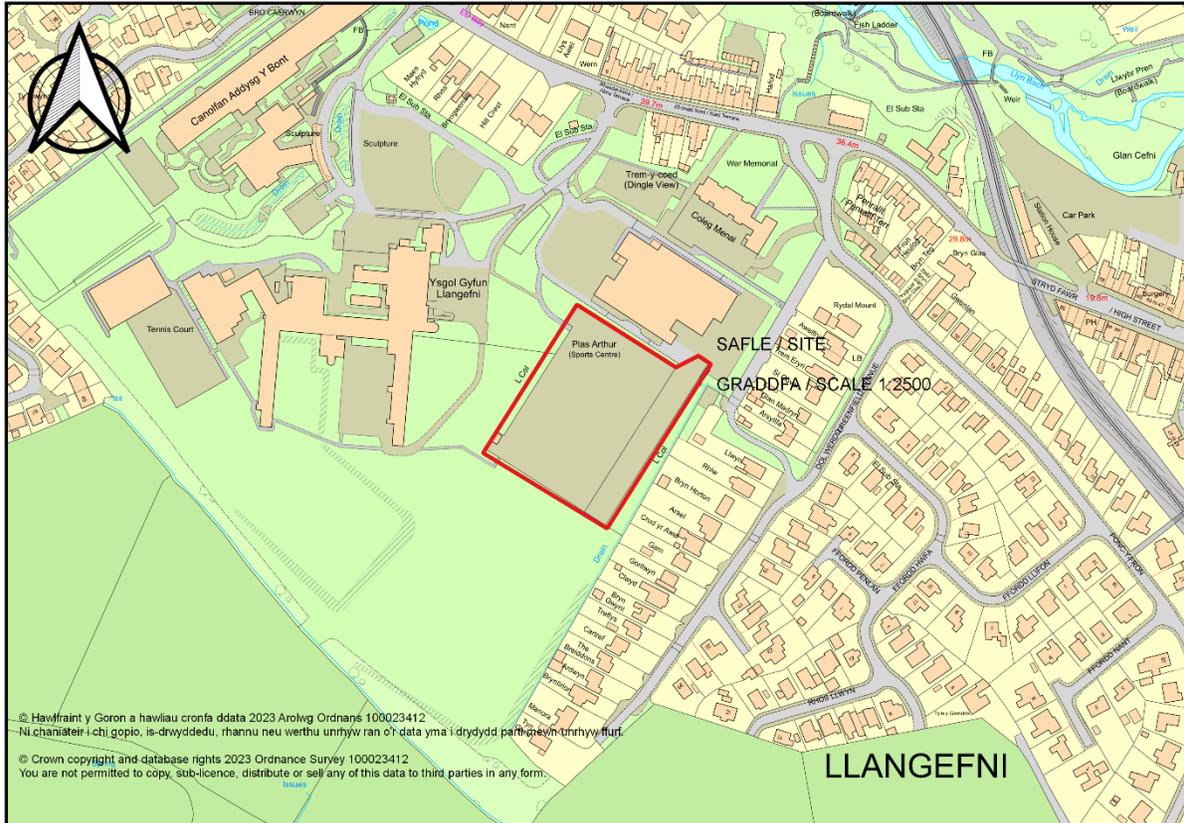
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2023/177

Applicant: Head of Service Regulation and Economic Development

Description: Full application for the replacement of the existing floodlights on the synthetic turf pitch at

Site Address: Plas Arthur Leisure Centre, Llangefni



Report of Head of Regulation and Economic Development Service (Huw Rowlands)

Recommendation: Permit

Reason for Reporting to Committee

The application is on council owned land.

Proposal and Site

The proposal is a full application for the replacement of the existing sports lighting system serving the external synthetic turf pitch of a Leisure Centre with a modern energy efficient LED system including new lighting columns located at Plas Arthur Leisure Centre in Llangefni.

Key Issues

The key issue is whether the proposal complies with planning policy and also consideration to the LED lighting and whether they would harm the area and amenities of adjacent residential properties.

Policies

Joint Local Development Plan

- PCYFF2: Development Criteria
- PCYFF3: Design and Place Shaping
- ISA2: Community Facilities
- Strategic Policy PS 5: Sustainable Development

Planning Policy Wales Edition 10 (December 2018)

Technical Advice Note 12: Design

Technical Advice Note 16: Sport, Recreation and Open Space

Response to Consultation and Publicity

Consultee	Response
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Observations: <ul style="list-style-type: none"> • No ecological survey is required at this current time. • Ensure that the lights are only turned on when in use. • Biodiversity Enhancement required.
Ymgynghorydd Treftadaeth / Heritage Advisor	There are no built heritage comments.
Iechyd yr Amgylchedd / Environmental Health	Observations: <ul style="list-style-type: none"> • The development should cause no nuisance by dust, fumes, noise or odour, or artificial light. • Construction and rock breaking times allocated to specific timeframes. • No waste materials to be burnt on site
Cynghorydd Geraint ap Ifan Bebb	No Response
Cynghorydd Nicola Roberts	No Response
Cyngor Tref Llangefni Town Council	Approve
Draenio / Drainage	We do not have any comments to put on this application.
Cyfoeth Naturiol Cymru / Natural Resources Wales	We do not have any comment to make on the proposed development.

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. The latest date for the receipt of any representation was the 09/08/2023. At the time of writing this report, no letters of representation had been received at the department.

Relevant Planning History

34LPA121E/CC -Siting of a mobile classroom unit – 1/2/89 – GRANTED

34LPA121F/CC - Formation of a new synthetic hockey pitch, 4 lane running track, long jump pit, together with the erection of a 3m high perimeter fence and floodlighting – 9/4/01 – GRANTED
34LPA121G/CC - Erection of an extension to the South Elevation – 8/7/02 – GRANTED
34LPA121H/CC - Formation of a bus and car park – 22/6/05 – GRANTED
34LPA121J/CC - Alterations and extensions – 7/5/09 – GRANTED
34LPA121K/CC/SCR - Screening Opinion for the erection of a new school – 5/7/11 – EIA NOT REQUIRED
34LPA121M/CC/ECON - Re-location of Ysgol y Bont from Llangefni Industrial Estate onto the Ysgol Gyfun Llangefni Campus. Works to include the construction of a new Special Educational Needs School, together with relevant enabling works including the re-location of playing field, car park, modifications to site entrance and a covered games area – 18/10/11 – GRANTED
34LPA121N/CC - Variation of conditions (06) and (07) of planning permission 34LPA121M\CC\ECON - 3/8/12 – GRANTED
34LPA121P/CC - Installation of a biomass wood pellet boiler unit in connection with the new school to be erected on land 28/7/12 – GRANTED

Main Planning Considerations

Proposal and Location:

The proposal seeks permission to replace the existing old metal floodlighting system and columns with a new energy efficient modern directional LED lamps to recognised sporting performance standards. The predominant floodlit facility usage will be for football activities at the Leisure Centre.

The proposed plans received display 8 replacement floodlights at the site to be the same dimensions as existing columns, 18m high, located within the existing rectangular pitch area of 105m x 82m = 8810m². The new system will not incorporate columns that are greater in number of columns than the current lighting arrangement and will not be of a greater height than the current arrangement.

There have been significant advances made in the design and maintenance of floodlighting systems in general. It is considered the site should be able to accommodate any necessary lighting without undue intrusion or significant adverse impact upon the immediate locality or wider environment. The LED lamps will reduce running costs and provide a more environmental solution, the upgraded floodlight system will improve the control of light spillage as the lamps will be directed down on the playing surface thereby reducing an overspill to the immediate surrounding area.

The proposal site is within the grounds of the Plas Arthur Leisure Centre which is not within the setting of the Area of Outstanding Natural Beauty (AONB) or a Special Landscape Area (SLA). It is considered that the proposed development blends into the Public use site landscape and will not have a detrimental impact upon the landscape or character of the immediate area.

The proposed development would provide a safe, secure and modern facility to promote outdoor sporting all year round.

Policy Consideration:

The main policy consideration is Policy ISA2: Community Facilities, the aim of the policy is to protect existing community facilities and encourage the development of new facilities where appropriate.

Policy ISA2 states that the provision of new or enhanced multiuse community facilities will be encouraged

Paragraph 4.5.6 of Planning Policy Wales states that planning authorities should encourage the multiple use of open spaces and facilities where appropriate, to increase their effective use.

A Healthier Wales is a goal of the Wellbeing of Future Generations Act 2015. This can be achieved through the reduction in emissions and air pollution by minimising the need to travel and maximising

provision of sustainable forms of transport. It can also be achieved through improving access to services, cultural opportunities, green spaces and recreation facilities to support people adopt healthy lifestyles. Together they contribute to creating the right conditions for better health, well-being and greater physical activity.

Technical Advice Note 16: Sport, Recreation and Open Space states that young people's recreational needs are a priority, improving levels of physical activity and access to facilities in and outside schools. The Government recognises the critical importance of play for the development of children's physical, social, mental, emotional, and creative skills.

Paragraph 3.11 of TAN 16 states that all-weather pitches can provide a substantive improvement in terms of playable hours and usability as part of a co-ordinated playing field strategy.

Paragraph 4.7 of TAN 16 states that the provision of floodlighting at sport and outdoor recreational facilities can allow for more efficient use of such facilities through extended opening hours subject to the development not affecting nearby residential properties.

Effect on adjacent residential properties:

A Design and Access Statement and Sports Lighting Statement have been received as part of this application specifying Obtrusive Light calculations of the proposal and hours of use for the new Sports Lighting System. An aerial plan labelled proposed floodlighting (Drawing No: HLS6032) has also been received as part of the application. This plan displays the illuminance levels from the proposed new LED floodlights at its surrounding area with the Illuminance Lux levels labelled with contours. This plan displays the level 5, 10, 15, Lux level contour lines extending outwards to the rear gardens of the adjacent properties towards the East of the proposal pitch site. As these lines do not extend to the property buildings themselves it is considered these intermittent illuminance levels are considered acceptable and not to have a detrimental impact to the local amenities of neighbouring properties. The proposed floodlights have a great degree of similarity to the existing floodlights at the site and at the exact locations of the 8 existing floodlights. It is considered the proposal does not include an additional visual impact to existing floodlight structures and is in keeping to the character of the existing Public Use area.

Biodiversity Enhancement / Sustainability:

In order to comply with the Environment Wales Act (2016), all planning applications must show overall biodiversity enhancement. Condition (05) has been proposed as part of this decision specifying the nest and bird boxes to be implemented at the site. This condition is considered to provide overall biodiversity enhancement, and complies with the requirements of the Environment Wales Act and strategic policy PS 19

Modern lighting systems can greatly reduce glare and stray light. They can be more energy efficient, particularly where they use power from renewable sources, and should be installed wherever possible. It is considered the proposal makes use of existing developed land and does not encroach on landscape surrounding the site.

Conclusion

It is considered that the proposal complies with all policies listed above. The provision of floodlighting at sport and outdoor recreational facilities can allow for more efficient use of such facilities through extended opening hours. The provision of floodlighting at sport and outdoor recreational facilities can allow for more efficient use of such facilities through extended opening hours that will be beneficial to the local community.

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.

- **SSL3219 - Proposed Elevation 02**
- **HLS6032 – Proposed Floodlighting**
- **SSL3219 – Location Plan 01**
- **SSL3219 - Design and Access Statement – Plas Arthur Leisure Centre, Isle of Anglesey**
- **SSL3219 - Sports Lighting Statement - Plas Arthur Leisure Centre, Isle of Anglesey**

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

(03) The floodlights hereby approved shall only be illuminated between 08:00 to 21:30 hrs Monday to Friday, between 09:00 to 18:00 hrs Saturday and between 09:00 to 18:00 hrs Sunday and Bank Holiday.

Reason: To safeguard the amenities of adjacent residential properties

(04) Demolition or construction works shall not take place outside the hours of 08:00 to 18:00 Mondays to Fridays and 08:00 to 13:00 on Saturdays and at no time on Sundays or Public Holidays.

Reason: To protect the amenities of nearby residential occupiers.

(05) Prior to first use of the development, a minimum of two standard bird boxes (with a 24mm entrance hole) must be installed on mature trees or buildings, on the north or east facing side; on trees between 2-4m above the ground and on buildings just below any eaves. If the boxes are to be installed on buildings the bird boxes must be either swift nest boxes or swallow/house martin nest boxes, which should again be placed on the north or east facing side, as high as possible on any buildings just below any eaves. If swift boxes are installed, they must be sited to ensure minimum 5m of clear space below them to allow swifts to fly in and out. The boxes must be spaced apart from each other to help reduce disturbance. The boxes must also not be within any artificial light.

Reason: In the interests of wildlife/habitat protection

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, ISA 2, PS 5**

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

The application is for the erection of solar panels array consisting of two rows of 20 solar panels within the rear garden of the property.

Key Issues

The applications key issues are if the proposed solar panels array has a negative impact on the existing site, neighbouring dwellings and the surrounding area.

Policies

Joint Local Development Plan

Policy PCYFF 2: Development Criteria

Policy PCYFF 3: Design and Place Shaping

Policy PCYFF 4: Design and Landscaping

Policy PS5: Sustainable Development

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

AMG5: Local Biodiversity Conservation

SPG – Design Guide for the Urban and Rural Environment

Planning Policy Wales (11th edition)

Technical Advice Note 12: Design (2016)

Response to Consultation and Publicity

Consultee	Response
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Requested ecological enhancements and confirmation of no vegetation removal. Agent provided amended plans with ecological enhancements and confirmation no existing vegetation to be removed.
Ymgynghorydd Tirwedd / Landscape Advisor	No observations received to date.
Cynghorydd Alwen Pennant Watkin	No observations received to date.
Cynghorydd Dafydd Roberts	Councillor Dafydd Roberts requested the application be called into the planning committee as he believed the proposed development would harm the amenities of the neighbouring dwellings.
Cyngor Cymuned Llanddaniel Fab Community Council	Had no objections to the proposed development.

Publicity

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties with the expiry date for receiving representations was the 08/06/2023. At the time of writing this report five letters of representation have been received.

The two letters objecting to the proposed development had the following concerns to the original proposed solar panels and their siting:

- The proposed works would be excessive and inappropriate for a residential property.

- If approved, it would set an unwelcome precedent for similar applications.
- Permitted development rights allow 9 metres squared. The size of the works when compared to permitted development rights is effectively a small solar farm and would be better placed on either an agricultural or brown- field site, and not at the bottom of a garden in a residential area.
- The proposed solar panels will be located close to boundary of the property with neighbouring properties gardens the other side. Permitted development rights that no proposed solar panels are within 5m of the boundary of the property. The panels have been sited as far away as possible to the applicants dwelling but would impact neighbouring properties. The solar panels would have a negative visual impact and loss of light for neighbouring gardens. Part of the land where the solar panels will be sited is not owned by the applicant. The electromagnetic radiation caused by the solar panels would have a negative impact on neighbouring garden and people using it.
- The proposed solar panels will be sited close to the access road of four properties. The 2.24m high solar panels will be highly visible for many years both from the access road and the public highway. The proposed solar panels would detract from the existing stone faced converted farm buildings from the countryside setting.

One letter objecting to the proposed development had the following concerns to the amended proposed solar panels and their siting:

- The proposed solar panels are now sited 1.5m from the access road and 2.4m from the boundary with their height being 2.24m, this would still have a negative impact on visual appearance and loss of light. The letter recommends the panels be moved 5m from the boundary so as to comply with the 5m distance set within permitted development rights.
- Other recommendation is to two rows of ground solar panels so that their height would be 1.12m in height.

One letter of support to the proposed development had the following comments to the original proposed solar panels and their siting:

- The proposed panels are environmentally sustainable, self-sufficiency in electricity generation should be actively encouraged. The location and siting of the panels will have a negligible visual impact on the neighbouring properties, particularly as the tree and bush planting carried out by the applicants develops and matures.

One letter of support to the proposed development had the following comments to the amended proposed solar panels and their siting:

- The revised siting of the panels and additional planting, together with the already planted extension to the existing adjoining copse (land that forms part of the site boundary and has been planted with trees, shrubs and wildflower meadow) and existing dense boundary planting of trees and shrubs, will further ensure that the site will be well screened avoiding any impact on the immediate locale and surrounding neighbourhood.

The concerns and supporting comments within the letters of representation will be addressed in the Mian Planning Considerations section of this report.

Relevant Planning History

FPL/2020/261 - Cais llawn ar gyfer newid defnydd tir i fod yn faes gweryslla pebyll tymhorol ar gyfer gosod 8 cwt bugail a'r dir yn /Full application for change of use of into a seasonal camping site for the siting of 8 shepherds hut on land at - The Lodge, Llanddaniel - [object Object] - Gwrthod / Refused 08/03/2021

21C120B - Newid defnydd y stablau ag ystafell 'tack' i fod yn uned gwyliau ar dir yn / Change of use of stables and tack room into a holiday let on land at Carreg Boeth,Llanddaniel. Gwrthod / Refused 08/01/2010

21C120C - Cais ôl-weithredol ar gyfer swyddfa bren a adeilad iechyd a ffitrwydd yn/Retrospective application for timber office building and health and fitness building at The Lodge, Carreg Boeth, Llanddaniel. Caniatau / Approved 15/02/2013

21C88 - Addasu ac ehangu / Alterations and extensions to The Lodge, Carreg Boeth, Llanddaniel. Caniatau / Approved 18/12/1997

Main Planning Considerations

The application for the erection of solar panels array consisting of two rows of 20 solar panels has been called into the committee on the request of Councillor Dafydd Roberts who has sited that the proposed development would harm the amenities of the neighbouring dwellings.

The main planning considerations are if the proposed erection of the solar panels complies with current policies, would have a negative impact on the site, the neighbouring dwellings and their amenities together with the impact on the surrounding area.

(i) Siting, scale, design and appearance of solar panels together with impact on neighbouring properties

The Joint Local Development Plan (JLDP), Policy PCYFF 2 ensures that any proposed development does not have an adverse impact on the health, safety or amenity of occupiers of local residences, other land and property uses.

JLDP Policy PCYFF 3 ensures all proposals will be expected to demonstrate high quality design which fully takes into account the natural, historic and built environmental context and contributes to the creation of attractive, sustainable places. The proposals should compliment or enhance the existing site and surrounding area.

JLDP Policy PCYFF 4 ensures all proposals should integrate into their surroundings. 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.

JLDP Policy PS6 ensures that proposals should reduce energy demand, energy efficiency and using low or zero carbon energy technologies wherever practical and viable.

The proposed solar panels will be sited within the Northern corner of the residential garden of the property and will be 2.4m from the 1.5m high boundary stone wall. The scale of the solar panels will measure 20m in length, 2.6m in width, 2.2m in height with the surface area of the solar panels measuring 68.4 metres squared. The solar panels will be two rows of twenty panels with one row on top of the other supported by steel support structure beneath.

There are existing trees and vegetation along the North West boundary of the site which screen the proposed solar panels from the public road to the South and the majority of the private access road that runs along the North Western boundary to residential properties to the North of the site. The solar panels will be visible from small sections of the private access track as there are smaller trees and hedges that do not screen the site completely. The proposed application has proposed additional trees/hedgerow to the North West of the solar panels which will provide additional screening from people using the private access track and as an ecological enhancement for the site.

Permitted development rights for the installation, alteration or replacement of stand alone solar within the curtilage of a dwellinghouse states that development is not permitted by Class B, Part 40 of The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2012 if:

(a) in the case of the installation of stand alone solar, it would result in the presence within the curtilage of more than one stand alone solar;

(b) any part of the stand alone solar—

(i) would exceed four metres in height;

(ii) would be installed within five metres of the boundary of the curtilage of the dwellinghouse and would—

(aa) exceed two metres in height; or

(bb) be installed within five metres of a highway;

Or

(c) the surface area of the solar panels forming part of the stand alone solar would exceed nine square metres or any dimension of its array (including any housing) would exceed three metres.

The proposed solar panels are within 5m of the boundary as they are 2.4m from the nearest boundary wall, are more than 2m in height as they will be 0.2m higher in height and will be more than 9 metres squared in surface area as they will be a total 68.4 metres squared.

The nearest dwellings to the proposed solar panels are Carreg Boeth which is approximately 40m away with trees, private garden and boundary wall between the site and the dwelling. The property of Sgubor Hen is approximately 45m away from the solar panels with trees, private garden and boundary wall between the site and the dwelling.

The nearest boundary wall to the solar panels is 1.5m in height and is shared with the property Sgubor Hen, which uses the land adjacent to the wall as a woodland/garden area. From visiting the site the woodland/garden area has a number of trees and some small existing structures used as chicken pens and other residential uses within the area.

The letters of representation objecting to the proposed development raise concerns regarding the loss of light, the solar panels could be sited in a more appropriate location, would have a negative visual impact on the site and on neighbouring properties. The original proposal located the solar panels 0.9m from the boundary of the property and the amended proposal moved the panels to 2.4m away from the boundary wall. While amending the position of the panels on site does not make them permitted under permitted development rights the siting on site is considered acceptable as it would not have a negative visual impact on the neighbouring woodland/garden and would not reduce direct sunlight to cause harm when using the woodland/garden area. When considering the applicants permitted development rights they have under permitted rights to erect a 2m high wall or fence along the boundary of the property which would reduce the direct sunlight and block all overlooking into their property from adjacent residential gardens.

The scale of the proposed solar panels is considered large when traditionally solar panels are placed on residential dwellings but with the existing garden being large enough to accommodate the panels, screening from trees and hedges already exist on site, no negative impacts to neighbouring properties or their amenities and with the JLDP Policy PS6 supporting renewable energy and sustainable sources such as Solar Panels the proposed works are considered acceptable.

Conclusion

The proposed solar panels siting, scale, design and appearance is considered acceptable as it would not have a negative impact on existing site, neighbouring properties or surrounding area and complies with planning policies PCYFF 2, PCYFF 3, PCYFF 4 and PS6 of the JLDP

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.

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

- **Site Location – AL0001 – Revision C – Dated May 2023**
- **Proposed Site Plan – AL0003 – Revision B – Dated May 2023**
- **Proposed Solar Panels – AL0004 – Revision A – Dated January 2022**
- **Solar Panel Cross Section – Dwg no.1 – Revision 01 – Dated 140402022**

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

(03) All planting in the approved details of landscaping contained in drawing Proposed Site Plan – AL0003 – Revision B – Dated May 2023 shall be carried out in the first planting seasons following the use of the site or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The planting shall be retained for the life of the development hereby approved.

Reason: In order that the proposal integrates into the area as required in JLDP Policies AMG 1, PCYFF 3 and PCYFF 4.

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PS5, PS6, PCYFF2, PCYFF 3, PCYFF 4, AMG 5

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

Application Reference: FPL/2023/143

Applicant: Head of Service Highways, Waste & Property

Description: Full application for a new child care modular building at

Site Address: Ysgol Gymuned Y Fali, Lon Spencer, Valley.



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

Recommendation: Permit

Reason for Reporting to Committee

The planning application is being presented to the Planning and Orders Committee as the application involves a site which is owned by the Isle of Anglesey County Council.

Proposal and Site

The application presented is for the erection of a new childcare modular building.

The application site is an area of scrub habitat and rock outcrop, located within the curtilage of Ysgol Gymuned Y Fali. The school is located along Lon Spencer, within the development boundary of Valley 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 AMG 1: Area of Outstanding Natural Beauty Management Plans
Policy AMG 5: Local Biodiversity Conservation
Policy ISA 2: Community Facilities
Policy PCYFF 2: Development Criteria
Policy PCYFF 3: Design and Place Shaping
Policy PCYFF 4: Design and Landscaping
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
Policy TRA 2: Parking Standards
Policy TRA 4: Managing Transport Impacts

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

Planning Policy Wales (Edition 11, February 2021)

Technical Advice Notes (TAN):

TAN 5: Nature Conservation and Planning

TAN 12: Design

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Gwilym O Jones	No response received.
Cynghorydd Ken Taylor	Welcomes and supports the development.
Cyngor Cymuned Y Fali / Valley Community Council	Support the development and welcome the project as an asset to the community.
Dwr Cymru Welsh Water	Condition regarding surface water and advisory notes for the applicant.
Priffyrdd a Trafnidiaeth / Highways and Transportation	No objections to the parking arrangements. Construction Traffic Management Plan (CTMP) would be required. No objections to the CTMP provided. Provided highway informatives for the applicant.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	The application site is within the AONB, and any external lighting should comply with the specification noted. A Construction Environmental Management Plan (CEMP) would be required due to the extent of groundworks and rock excavation. No objections to the CEMP provided. Questioned an alternative siting due to the current scrub habitat, stating an ecological assessment would be required in its current location. Following an

	ecological survey, no protected species were found on site. The application must provide new scrub habitat to replace that being lost and the works should be carried out in accordance with the report. Provided advice for the applicant regarding vegetation removal and native planting.
Iechyd yr Amgylchedd / Environmental Health	Informatives regarding the environment, food, and health & safety. Condition regarding the working hours on site.
Draenio / Drainage	Informatives regarding flooding and SuDS.
Sport Wales	No response received.
GCAG / GAPS	No comments to make regarding the application.
Arolygaeth Gofal Cymru / Care Inspectorate Wales	No response received.
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objections to the development and provided advice regarding protected species.
Betsi Cadwaladr University Health Board	Informatives for the applicant regarding active travel, green spaces, active learning and play spaces.

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 representation was the 12/07/2023. At the time of writing this report, no letters of representation had been received at the department.

Relevant Planning History

SCR/2023/34 - Screening opinion for a new childcare modular building at Ysgol Gymuned Y Fali, Lon Spencer, Valley. EIA Not Required 05/07/2023.

Main Planning Considerations

Proposal and Site

The application site is an area of scrub habitat and rock outcrop, located within the curtilage of Ysgol Gymuned Y Fali. The school is located along Lon Spencer, within the development boundary of Valley as defined by the Joint Local Development Plan. The application site is also located within the Isle of Anglesey Area of Outstanding Natural Beauty (AONB).

The application presented is for the erection of a new childcare modular building.

The applications' main issues are:

- i. Policy Context
- ii. Siting and Design
- iii. Impact on Adjacent Residential Properties
- iv. AONB and Ecology
- v. Highways and Parking

i. Policy Context

Policy ISA 2 states that the plan will help sustain and enhance community facilities by granting the development of new community facilities provided that they comply with the criteria noted. The

proposal complies with the first criteria of the policy as the application site is located within the development boundary of Valley. Criteria 2 states that in the case of new buildings, that the local community's needs cannot be satisfied through the dual use of existing facilities or the conversion of existing buildings. The proposed childcare unit is considered an important new building within the school complex, that will provide an essential service without impeding on the existing school buildings.

The third criteria is not relevant to this application as it relates to facilities being relocated. Criteria 4 states that proposals must be of an appropriate scale and type compared to the size, character, and function of the settlement. Valley is classed as a Local Service Centre in the JLDP, and it is considered that the proposed building is suitable for the village, enhancing the childcare services provided at the school. The final criteria of policy ISA 2 states that proposed sites must be easily accessible by foot, cycle and public transport. The childcare unit will be at the existing school site, which is within the development boundary, is a paved area and is easily accessible from the village on foot or by alternative means of transport. It is considered that the proposal complies with the criteria set out in the policy and will be an asset to the community of Valley.

ii. Siting and Design

The proposed childcare unit will be sited on an area of scrub habitat, around 20m to the north of the school, in close proximity to the existing car park. The building will be a single storey unit with a flat roof sloping from 3.1m to 2.7m in height. It will measure 21.4m in length and 12m wide, integrating between the car park and the school playing field. The building will have windows and doors on all sides, with the most prominent elevation facing towards the school.

The building will be finished with a combination of steel and timber cladding, grey UPVC windows and doors, together with a rubber flat roof. It is considered a high-quality design in accordance with policy PCYFF 3, which will integrate into its surrounding natural and built environment. There will be an outdoor area to the north of the building, consisting of a rubber soft play area and 2m high security fencing surrounding it. The building and outdoor area will be seen in the context of the existing school buildings and the materials are considered acceptable in this location, with a range of different designs and styles in the vicinity.

iii. Impact on Adjacent Residential Properties

Being located within the school grounds and viewed in the context of the existing school buildings, it is considered that the proposed scheme would have negligible impacts upon its neighbours in compliance with policy PCYFF 2. The closest neighbouring property to the childcare unit is around 35m to the northeast, with a few other dwellings located around 40m away to the north and east. This is considered ample distance so as to cause no direct overlooking issues. It is considered that any noise generated from the proposal would be no greater than the existing school playing field and the public playground, both which are closer to neighbouring properties. Given the small-scale nature of the development, the distance to the neighbours and the mitigating factors, it is considered that there will be no greater impact on the adjacent residential properties.

iv. AONB and Ecology

The application site is located within the Isle of Anglesey Area of Outstanding Natural Beauty (AONB). Given the small-scale nature of the development, its siting in the vicinity of existing buildings, and its appropriate material choice, it is considered to integrate into its surrounding landscape, having no impact on the special qualities and features of the AONB.

The proposed building will be located on an existing area of scrub habitat within the school grounds, with the development requiring vegetation removal and rock excavation. The Ecological Advisor questioned the possibility of re-locating the building to an area of green land within the curtilage, however this was not possible as it would result in a loss of playing fields, to the detriment of the school and its pupils.

A preliminary ecological appraisal was carried out on site, which found no protected species and recommended the creation of new scrub habitat to replace that being lost. The proposed landscaping plan includes four areas of new scrub habitat within the school grounds, together with a new hedgerow, a hibernacula and the planting of ten new trees. This is considered sufficient to replace the scrub habitat being lost, and it will provide overall biodiversity enhancement as part of the application, in accordance with policy AMG 5 and the Environment Wales Act 2016.

v. Highways and Parking

The childcare unit will use the existing public car park to the north of the school, which has around 20 car parking spaces. The Highways department have no objections to the development as the parking facilities are deemed adequate and as the application will not affect highway safety. The application site is in a sustainable location, easily accessible on foot and by alternative means of transport, complying with the highway policies of the JLDP.

Conclusion

The proposed scheme involves the erection of a building to be used as a childcare unit at Ysgol Gymuned Y Fali. It is considered that the proposed development will comply with the relevant policies. It will provide an essential facility for the community of Valley, the building will be of an appropriate scale and design, it will have no greater impact upon its neighbours than the existing school, and it will have negligible effects on the AONB and biodiversity following the enhancements proposed.

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:

- AL03 (Rev a) – Location plan
- AL04 – Proposed floor plan
- AL05 – Proposed elevations
- AL06 (Rev a) – Proposed site plan
- AL07 (Rev a) – Proposed soft landscaping plan
- AL08 – Proposed traffic management plan
- 26603 R1 Rev1 – Atmos Consulting Preliminary Ecological Appraisal – July 2023
- Ysgol Y Fali Construction Environmental Management Plan

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

(03) Demolition or construction works shall not take place outside the hours of 08:00 to 18:00 Mondays to Fridays and 08:00 to 13:00 on Saturdays and at no time on Sundays or Public Holidays.

Reason: To protect the amenities of nearby residential occupiers.

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

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

(05) The development shall take place in accordance with Section 6 'Recommendations' of the Atmos Consulting Preliminary Ecological Appraisal dated July 2023 submitted under application reference FPL/2023/143.

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

(06) All planting and landscaping noted in the proposed soft landscaping plan, reference AL07 (Rev a), shall be carried out in the first planting season following the use of the site or the completion of the development, whichever is the sooner; and any plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The planting shall be retained for the life of the development hereby approved.

Reason: To ensure biodiversity improvement on the site as required under the Environment (Wales) Act 2016 and policies AMG 5 and PCYFF 4 JLDP.

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: AMG 1, AMG 5, ISA 2, PCYFF 2, PCYFF 3, PCYFF 4, PS 19, TRA 2, TRA 4.

Informative

All vegetation clearance should be carried out from October to February (inclusive) so as to avoid the breeding bird season; nesting birds during the breeding season are protected under the Wildlife and Countryside Act 1981 (as amended).

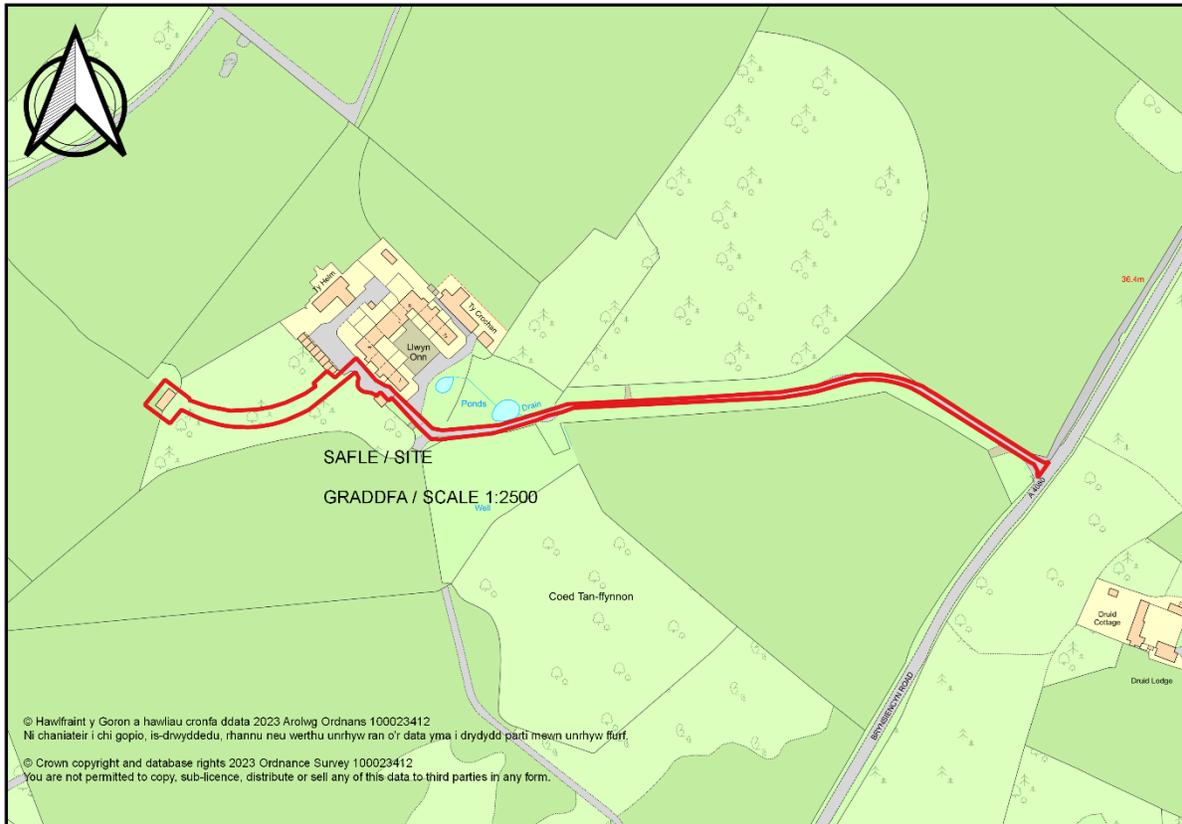
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2023/155

Applicant: Grŵp Amos Cymru Cyf

Description: Full application for the conversion of the outbuilding into holiday unit together with associated works at

Site Address: Llwyn Onn, Llanfairpwll



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

Recommendation: Permit

Reason for Reporting to Committee

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

Proposal and Site

The site is located in the open countryside of the Llanfairpwll area in a position set back from the A4080 highway and adjacent the Llwyn Onn site. Access is provided via an existing vehicular access which serves the Llwyn Onn site. The building subject to this application is a single storey outbuilding which sits on the edge of a woodland, which is afforded designation as Ancient Woodland. The rear of the site is

defined by open agricultural land. Views of the site are for the most part obscured from public view, with the exception of the local footpath network which closely pass the site. The building itself is of single storey stone wall construction, with the mono pitch roof finished in natural slate. It is noted from the site history that works have already occurred on the building and were subject to an enforcement investigation. The investigation concluded that the works could be considered as repair and maintenance and as such no planning permission was required. From the site visit it is also noted that some tree felling has also occurred, although it must be noted that this is a separate issue as no planning permission is required for such activities as the trees are not TPO protected or in a conservation area. It is understood this matter is being dealt with by NRW.

The application is made for the conversion of the outbuilding into a holiday letting unit together with the creation of a parking area. No additional extensions or external works to the building are proposed as part of the scheme. The parking area will be located on the opposite side of the woodland, with some 100m of woodchip path linking the parking area and accommodation.

Key Issues

The key issues of the scheme are as following;

- Principle of the development
- Ecology
- Sustainability
- Welsh language
- Visual impact
- Design

Policies

Joint Local Development Plan

Policy PCYFF 1: Development Boundaries
Policy PCYFF 2: Development Criteria
Policy PCYFF 3: Design and Place Shaping
Policy PCYFF 4: Design and Landscaping
Policy AMG 2: Special Landscape Areas
Policy AMG 5: Local Biodiversity Conservation
Policy TWR 2: Holiday Accommodation

Supplementary Planning Guidance Holiday Accommodation (2007)
Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)
Supplementary Planning Guidance - Replacement Dwellings and Conversions in the Countryside (September 2019)

Strategic Policy PS 1: Welsh Language and Culture

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

Strategic Policy PS 4: Sustainable Transport, Development and Accessibility
Strategic Policy PS 5: Sustainable Development

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Dafydd Roberts	Called in to committee.

Iechyd yr Amgylchedd / Environmental Health	Standard informatives regarding construction.
Cadw Scheduled Monuments	No response
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objection.
Prifffyrdd a Trafnidiaeth / Highways and Transportation	Satisfied with parking provision and no concerns raised regarding access or impact on local highway network.
Dwr Cymru Welsh Water	Stated development is crossed by water main, however having reviewed the maps it appears the development is well outside of the water main protection area.
Swyddog Cefn Gwlad a AHNE / Countryside and AONB Officer	No response
Polisi Cynllunio / Planning Policy	Confirmed TWR 2 as applicable policy.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Additional planting and swallow boxes requested along with a CEMP condition. No concerns raised regarding adequacy of surveys having received an updated survey.
Ymgynghorydd Treftadaeth / Heritage Advisor	Stated proposal will not effect setting of Listed Building.
Draenio / Drainage	SuDS application may be required. Preapplication invited.
Tom Fildes	No recommendation for archaeological work.
Cynghorydd Dafydd Roberts	No response
Cynghorydd Alwen Pennant Watkin	No response
Swyddog Hawliau Tramwy Cyhoeddus/ Public Rights of Way Officer	Access should be protected during construction works
Cyngor Cymuned Llanddaniel Fab Community Council	Object on the grounds that there are too many holiday accommodation in the local area.

Publicity was afforded to the scheme by the posting of personal letters to occupiers of neighbouring properties. At the time of writing this report, 15 letters of objection had been received at the department. The issues raised in which is summarised as the following points;

1. Works have already commenced on site and therefore the application form has been answered incorrectly.
2. Trees in the ancient woodland have already been cut down without consent.
3. Scheme will have a negative impact upon the local wildlife.,
4. Headlights from cars will shine into adjacent properties and impact amenities.
5. Scheme will have negative impact on setting of Listed Buildings.
6. Scheme has no right to connect into existing sewerage treatment plant.
7. Design is out of character with existing building.
8. Increase in traffic will effect road safety.
9. Scheme will be an overconcentration of such holiday accommodation.
10. Developer has no right of access to site.
11. Ecology reports are inaccurate.
12. Scheme will negatively effect amenities of existing properties.

In response to these points, the department would comment as following;

1. The works were subject to an enforcement investigation where it was found the works were considered as repair and maintenance. Subsequently, the department do not consider it imperative that 'yes' was answered on the application form and do not consider this would have and material affect on considering the scheme.
2. This matter is outside of the planning department jurisdiction and it is understood to be being dealt with by NRW.
3. The scheme was assessed from an ecological point of view by both the Local Authority Ecology Officer and NRW. Neither raised objection and were satisfied with the scheme subject to conditions.
4. The car parking is located to the rear of a garage building. It is not considered that the glare from headlights would be drastically worse than any existing arrangements. The department would like to point out that the proposal is for a single unit only.
5. The Local Authority Heritage officer had no objects and stated the scheme would have no adverse effects on the Listed Buildings.
6. This is considered to be a civil matter.
7. Limited external works are proposed and as such it is not considered the current design/character will be altered.
8. The Local Authority Highways department had no concerns.
9. A business case was provided with the application which demonstrates the scheme is viable and not speculative in nature.
10. This is a civil matter.
11. It was initially raised by the Local Authority Ecology officer that the survey was out of date, however an updated survey has since been provided which was satisfactory to the Ecology officer and NRW. It is therefore considered that the LPA have no valid grounds to object on this basis.
12. The nearest neighbouring property is 100m away from the site. Due to the distance, it cannot be reasonably said that it would have a detrimental impact upon their amenities.

Relevant Planning History

FPL/2020/246 - Cais llawn ar gyfer newid defnydd adeilad allanol i uned gwyliau yn / Full application for the conversion of the outbuilding into holiday unit at Fferm Pont Ronwy Farm, Lon Pont Ronwy Road, Llanfairpwll - Withdrawn 12/07/2021

Main Planning Considerations

Principle of Development

The principle of such development is assessed against policy TWR 2 of the Joint Local Development plan, with the Replacement Dwellings and Conversions in the Countryside (September 2019) providing additional guidance. TWR 2 supports the creation of new holiday accommodation units subject to adherence with the following criteria;

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

In terms of 'a suitable previously developed site', the proposal intends to utilise an existing outbuilding. In order to demonstrate the suitability of the building, a structural survey was provided. The survey concludes that the building is structurally sound and is suitable for the proposed scheme without the need for any major rebuilding or structural works. Recommendations for further work were limited to minor works such

as lintel replacement and strapping the roof structure to meet modern standards. The department are therefore satisfied that the scheme will utilise a suitable site.

In relation to criteria ii. and in the context of defining scale, the SPG provides guidance on this matter. Paragraph 8.1 of the SPG states 'The building in its current form (in terms of size) should be suitable, no extensive extensions should be required to enable the development'. No extensions are proposed as part of the scheme and as such the department are satisfied the scale is appropriate and conforms with the relevant sections of the policy and SPG.

In terms of criteria v., a business case was provided which demonstrates the scheme is viable and non speculative in nature and as such the department are satisfied that the scheme would not amount to an overconcentration of such accommodation.

Design and Landscape

The design of the scheme is considered a key component of the overall acceptability of the scheme due to the fact that the scheme is for the conversion of an outbuilding and also due to the location of the scheme in a designated Special Landscape area. The Replacement Dwellings and Conversions in the Countryside (September 2019) SPG provides guidance in defining appropriate design for conversion scheme. The key points made in the SPG are that roof design is retained and that traditional materials are used, with an emphasis also placed on limiting modern/alien design features. The key theme of the design related comments in the SPG may be summarised as ensuring schemes respect the nature and features that contribute towards a buildings architectural value. As the proposed scheme does not propose any extensions or drastic external changes, the department are satisfied the design principles of the SPG are adhered to and as such may be considered acceptable.

As mentioned above, the site lies within a designated Special Landscape area and subsequently, policy AMG 2 of the JLDP is triggered. AMG 2 requires that no significant adverse detrimental impact on the landscape arises from development schemes. The policy goes on to state that proposals should aim to maintain, enhance or restore the recognised character and qualities of the SLA. The proposal site is well screened due to the ancient woodland and is not visible in the wider landscape and as such it is deemed that it would not harm the existing qualities of the SLA. Views of the site will be possible in its immediate proximity from the local footpath network, however owing to the fact that such little external work is proposed, it cannot reasonably be said that it would significantly change any current visual impacts. The department would therefore deem the scheme to at minimum maintain the visual quality of the area.

Welsh Language

Policy PS 1 of the JLDP sets out the threshold for when a Welsh Language Impact Assessment is required. The policy unit confirmed that this proposal did not exceed those thresholds and therefore no WLIA is required. However, in line with the 'Maintaining Distinctive and Sustainable Communities' Supplementary Planning Guidance, information should be submitted which demonstrates how the Welsh Language was considered as part of the proposal. A Welsh Language statement was provided by the developer which provided information in accordance with the requirements of the SPG. It is therefore considered that the Welsh Language requirements in a planning policy context have been met.

Sustainability

The concept of sustainability in planning is mainly centred around the principle of ensuring that new development is located in places where it would not be overly reliant on private transport and would be accessible by a range of modes of transport. As mentioned above, the site is close to local footpaths, with some of which leading to local bus stops and Llanfairpwll slightly further afield. Llanfairpwll is well provisioned by local amenities and also benefits from the provision of a railway station. It must also be noted that Plas Newydd is located a short distance down the road from the site. On balance, it is therefore concluded that the site is located in a sustainable location.

Ecology

Ecological matters received significant interest from the public, with specific attention drawn to the alleged unsuitability of the survey conducted. These surveys were assessed by both the Local Authority Ecology

Officer and NRW. The Ecology officer was satisfied that no additional survey work was required and that the scheme was acceptable from an ecological point of view providing that certain matters were conditioned (lighting, CEMP and landscaping). Due to this, the LPA consider ecological matters to having been given appropriate consideration. In line with policy AMG 5 and the Councils duty under The Environmental Act Wales (2016), all proposals are required to demonstrate a net gain to biodiversity. The scheme proposes net gain by the installation of swift boxes together with additional landscaping as noted on the accompanying landscape plan and woodland management plan. These measures were considered acceptable by the Ecology Officer and as such the department are satisfied that the scheme is acceptable from an ecological perspective. In the absence of a specialist consultee opinion expressing objection, it is not considered there is any scope to refuse on ecological grounds.

Conclusion

Having assessed the scheme against all relevant policies and considered all material considerations, the LPA found no valid and sufficiently material reasons for refusal and as such are obliged to recommend approval.

Recommendation

That the application is permitted subject to the following conditions:

(01) The development shall begin not later than five years from the date of this decision.

Reason: To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990 (as amended).

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

- **Location Plan - Plot 14 / 2016-24-412 Rev D**
- **Landscape Strategy Plan - Plot 14 / N/A (Received 17/08/2023)**
- **Drainage Layout / P14-LE-GEN-XX-DR-CE-500**
- **Proposed Construction Details / P14-LE-GEN-XX-DR-CE-501**
- **Tree Constraints Plan / D.RNT.15.01**
- **Proposed Plans & Elevations / 2016-24-402C**
- **Proposed Site Plan - Plot 14 / 2016-24-411 Rev F**
- **Woodland Survey and Management Plan June 2020 Mancoed**

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

(03) The site shall be landscaped strictly in accordance with the Proposed Landscape Strategy Plan (Received 17/08/2023) in the first planting season after completion or first use of the development, whichever is the sooner. The landscaping scheme shall be retained for the lifetime of the development hereby approved. Any trees or shrubs that are found to be dead, dying, severely damaged or diseased within five years of the carrying out of the landscaping scheme, shall be replaced in the subsequent planting season by trees and shrubs of the same species and size as those originally required to be planted.

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

(04) The development shall be occupied as holiday accommodation only and shall not be occupied as a person's sole or main place of residence. An up to date register shall be kept at the holiday accommodation hereby permitted and be made available for inspection by the local

planning authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their date of arrival and departure from the accommodation.

Reason: To define the scope of this permission.

(05) Prior to their installation full details of all external lighting shall be submitted to an approved in writing by the Local Planning Authority. The "lighting scheme" shall include the following details:

Full details of all flood and other lights including luminaries, lamp, beam widths and any anti glare hoods.

Report on any light spillage (lux levels) onto any surrounding land or properties.

The use of the external lights shall not commence until "the lighting scheme" has been installed in accord with the details to be approved in writing by the Local Planning Authority under the provisions of this condition. Thereafter the approved "the lighting scheme" shall be retained to the satisfaction of the Local Planning Authority and no additional external lighting shall be installed.

Reason: To safeguard the amenities of the area.

(06) No development shall commence until a Construction Environmental Management Plan "CEMP" has been submitted to and approved in writing by the Local Planning Authority. All work must proceed in accordance with the approved details:-

- **Full details of the location of any cement mixing during the construction phase and measures taken to ensure cement/dust will not enter the nearby ancient woodland.**
- **Full details of where materials and waste materials will be stored on site**

Reason: To safeguard against any impact the construction of the development may have on local ecology.

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF 1, PCYFF 2, PCYFF 3, PCYFF 4, AMG 2, AMG 5, TWR 2, PS 1, PS 4, PS 5.

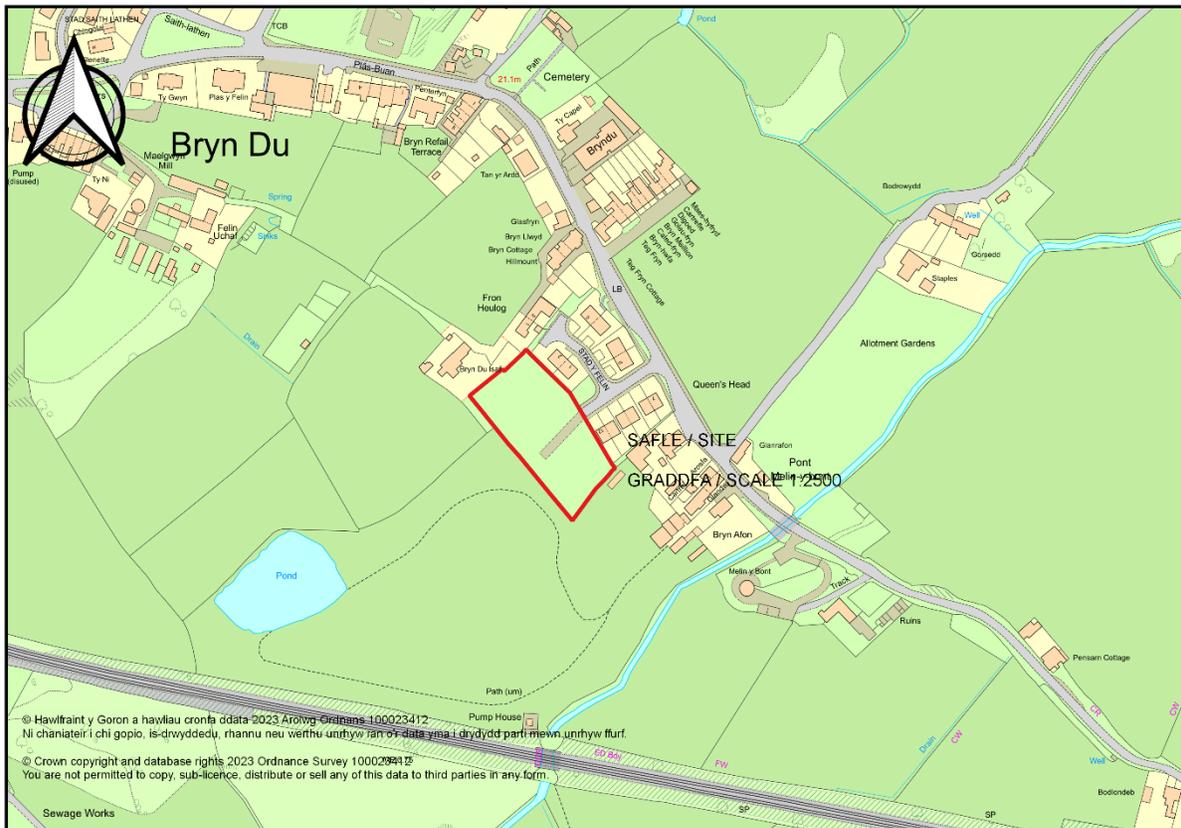
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: VAR/2023/36

Applicant: Mr Alan Southall

Description: Application under Section 73 for the variation of condition (05) (Road layout and street lighting) of planning permission reference FPL/2020/149 (erection of 8 affordable dwellings together with the creation of a new vehicular access and associated development) so as to change the pre-commencement condition to pre-occupation condition on land at

Site Address: Stad y Felin, Llanfaelog



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

Recommendation: Permit

Reason for Reporting to Committee

The application is a Section 73 Application to vary a consent which was granted by the planning committee.

Proposal and Site

The site is located adjoining the rural village of Ty Croes, which is defined as a cluster settlement under the Joint Local Development Plan. Site access is provided via the residential estate road of the existing

housing estate of Stad y Felin, which the proposal site directly adjoins and will form an extension thereto. The proposal site is currently an unused area of scrubland, with its boundaries to the rear of the site defined by mature hedgerow and the boundaries with the residential dwellings to the north and west defined by timber fencing. The site does not undulate or vary in gradient/elevation from the surrounding properties. The site currently benefits from a live and valid planning permission for the erection of 8 affordable dwellings together with associated estate road, landscaping and drainage infrastructure, which was granted by the planning committee 27/07/2022.

This application is made to vary condition (05) of planning permission FPL/2020/149 which reads as following;

(05) Before any development commences, plans shall be submitted and approved by the Local Planning Authority in consultation with the Highway Authority showing details of the following reserved matters: The proposed road layout and typical construction details based on ground investigation information to verify its adequacy.

The location and the type of street lighting furniture.

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

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

The variation is sought so as to amend the wording of the condition so as details required by the condition can be provided prior to occupation as opposed to prior commencement of works. The variation is sought so as works may begin on site.

Key Issues

The key issues are whether the amendment to the wording of the condition is considered acceptable by the relevant consultees who requested the condition in the first instance.

Policies

Joint Local Development Plan

Policy PCYFF 1: Development Boundaries
 Policy PCYFF 2: Development Criteria
 Policy PCYFF 3: Design and Place Shaping
 Policy PCYFF 4: Design and Landscaping
 Policy TAI 6: Housing in Clusters
 Policy TAI 8: Appropriate Housing Mix
 Policy TAI 16: Exception Sites
 Policy TAI 15: Affordable Housing Threshold & Distribution
 Policy TAI 17: Safeguarding Existing Gypsy and Traveller Sites
 Policy AMG 5: Local Biodiversity Conservation

Response to Consultation and Publicity

Consultee	Response
Priffyrdd a Trafnidiaeth / Highways and Transportation	No Objection
Dwr Cymru Welsh Water	No response.
Cynghorydd Neville Evans	No response

Cynghorydd Douglas Massie Fowlie	No observations.
Cyngor Cymuned Llanfaelog Community Council	No response

Publicity was afforded to the scheme via the posting of personal letters to occupiers of the neighbouring properties. At the time of writing this report, no letters of representation had been received at this department.

Relevant Planning History

DIS/2023/29 - Cais i ryddhau amod (09) (Cynllun Tai Fforddiadwy) o ganiatâd cynllunio FPL/2020/149 (Cais llawn ar gyfer codi 8 annedd fforddiadwy ynghyd a creu mynedfa cerbydau newydd ac datblygiadau cysylltiedig ar dir) yn / Application to discharge condition (09) (Affordable Housing Scheme) of planning permission FPL/2020/149 (Full application for the erection of 8 affordable dwellings together with the creation of a new vehicular access and associated development on land) at - Stad y Felin, Llanfaelog - Amod wedi ei Ryddhau / Condition Discharged 06/06/2023

FPL/2020/149 - Cais llawn ar gyfer codi 8 annedd fforddiadwy ynghyd a creu mynedfa cerbydau newydd ac datblygiadau cysylltiedig ar dir yn / Full application for the erection of 8 affordable dwellings together with the creation of a new vehicular access and associated development on land at - Stad y Felin, Llanfaelog - Caniatáu / Permit 26/01/2023

Main Planning Considerations

Principle of Amending Wording

The condition was originally requested by the Local Authority Highways Department and therefore they were consulted in regards to the proposed amended wording. The Highways department had no objection to the amended wording and as such the planning department are satisfied to recommend granting of the S73 application. It is not considered that there is any material disadvantage to the amended wording and would not effect the requirements of the condition.

Conclusion

The Local Authority Highway Department as the original requesters of the condition had no objections to the amended wording and there are no other material reasons for not granting the proposal. The application is therefore recommended for approval.

Recommendation

That the application is permitted subject to the following conditions:

(01) The development shall begin not later than five years from the date of this decision.

Reason: To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990 (as amended).

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

- Location Plan / 001
- Drainage Layout / P01.3
- 4P2B Bungalow / 046 D
- 7P4B House / 071 C

- **Street Elevations / 005 A**
- **Proposed Site Plan / 003 C**
- **Proposed Boundary Treatment Plan / 004**
- **4P2B House - Rear Lounge / 052 C**

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

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

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

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

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

(05) Prior to the occupation of any dwellings on site, plans shall be submitted and approved by the Local Planning Authority in consultation with the Highway Authority showing details of the following reserved matters:

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

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

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

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

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

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

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

(08) The site shall be landscaped strictly in accordance with 23/19/PP/01 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.

- (09) Prior to commencement of development the development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:**
- i. the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 100% of housing units/bed spaces;**
 - ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;**
 - iii. the arrangements for the transfer of the affordable housing to an affordable housing provider [or the management of the affordable housing (if no RSL involved)];**
 - iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and**
 - v. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.**

Reason: To ensure that the development provides an element of affordable housing in accord with development plan policy.

Discharged under application DIS/2023/29

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF 1, PCYFF 2, PCYFF 3, PCYFF 4, TAI 6, TAI 8, TAI 15, TAI 16, TAI 17, PS 19, AMG 5.

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