

Rhif y Cais: 38C180D Application Number

Ymgeisydd Applicant

Mr Thomas Andrew Roberts
c/o Mr Harry Jones
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Amlech
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Cais amlinellol ar gyfer codi annedd ynghyd a creu
mynedfa newydd ar dir ger

Outline application for the erection of a dwelling
together with the creation of a new vehicular access
on land at

Gilfach Glyd, Llanfechell



Planning Committee 03/04/2013

Report of Head of Planning Service (DPJ)

Recommendation:

Permit

Reason for Reporting to Committee:

The application comprises a departure that officers are minded to approve.

1. Proposal and Site

The application site adjoins the north western boundary of Mynydd Mechell at Gilfach Glyd.

This is an outline planning permission with matters reserved for future consideration.

2. Key Issue(s)

- Having regard to the provisions of section 38(6) of the Planning and Compulsory Purchase Act 2004 it is necessary for determination to be in accord with the development plan unless material considerations indicate otherwise.
- Whether the development comprises an acceptable rounding off of the settlement.

3. Main Policies

Gwynedd Structure Plan

A6 (New Dwellings in the Countryside)

Ynys Mon Local Plan

53 (Housing in the Countryside)

Stopped Anglesey Unitary Development Plan

HP5 (Countryside Hamlets & Clusters)

4. Response to Consultation and Publicity

Local Member - No observations received at the time of writing.

Community Council – No observations received at the time of writing.

Highways – No observations received at the time of writing.

Drainage – Technical Consideration listed.

Welsh Water – No observations received at the time of writing.

One letter received objecting on the following grounds:

- An application was recently refused on the land, due to issues with the main drainage and water company restrictions.
- A new vehicular access would be dangerous on this narrow point of the road near a brow of a hill and a bend.

- A previous application was refused due to the lack of visibility from the proposed access.
- If this application is successful the writer states that they will appeal the previous refusal.
- There is no local need for the dwelling and there is already planning for a dwelling in the same field which has been for sale for a number of years.
- The application site has not been submitted as a candidate site register to the council.
- Application site not identified in the development plan framework and as such should not be approved.

5. Relevant Planning History

38C180 - Erection of a new workshop with offices together with the installation of a septic tank and formation of a new vehicular access Refused 11.09.01.

38C180A Erection of a store, construction of and access and associated landscaping. Refused 01.05.02, Appeal dismissed 11.10.02.

38C180B - Outline application for the erection of a dwelling Refused 06/01/11.

38C180C - Outline application for the erection of a dwelling together with the creation of a new access Approved 03.06.11.

6. Main Planning Considerations

Planning History & Principle of Residential

There is an extant outline planning application with all details reserved on part of the application site, but the red line area shown on the application subject to this report is larger and the illustrative position of the dwelling is different.

Having regard to the provisions of section 38(6) of the 2004 and act, if regard is to be had to the development plan for the purposes of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise. The development plan for Anglesey comprises the approved Gwynedd Structure Plan (approved November 1993) and the adopted Ynys Mon Local Plan (adopted December 1996).

The application site is located in the countryside under the provisions of the adopted Ynys Mon Local Plan (December 1996), and has thus been advertised as a departure from the development plan. This is due to Mynydd Mechell not being listed under the provisions of policy 50 (Listed settlements) of this plan, which permits single dwellings within or on the edge of the listed villages and hamlets subject to the listed criteria being satisfied.

Mynydd Mechell is included as a settlement under the provisions of policy HP5 of the Stopped Anglesey Unitary Development Plan. This policy permits single dwellings on infill and other acceptable sites subject to the listed criteria. The application site is also located within the indicative frame. In view of the advanced stage reached in the preparation of the Stopped Anglesey Unitary Development weight can be attributed to its provisions such as to outweigh the provisions of the development plan in this instance. There is also an extant planning permission on the application site. The principle of the development is thus acceptable subject to detailed planning considerations.

The larger area of the application site is considered acceptable and in compliance with the provisions of policy HP5.

7. Conclusion

The advanced stage reached in the preparation of the Stopped Anglesey Unitary Development Plan means that in this instance weight can be attributed such as to outweigh the provisions of the development plan,

such that the principle of the development is acceptable. The larger area of the application site is considered acceptable and in compliance with the provisions of policy HP5.

8. Recommendation

That planning permission is **permitted** subject to the following conditions:

(01) The development hereby permitted shall be begun not later than whichever is the later of the following dates:

- i) The expiration of five years from the date of this permission.**
- ii) The expiration of two years from the date of approval of the last of the reserved matters to be approved.**

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

(02) Application for approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

(03) Approval of the details of the appearance *to include floor plans, layout; scale, access thereto and the landscaping of the site (hereafter called 'the reserved matters')* shall be obtained in writing from the Local Planning Authority before the development is commenced.

Reason: The application is for outline planning permission.

(04) Natural slates of uniform colour shall be used as the roofing material of the proposed building(s).

Reason To ensure a satisfactory appearance of the development.

(05) The details to be submitted for the approval in writing of the Local Planning Authority in accordance with Condition 3 above shall include a scheme for parking, garaging and manoeuvring and the loading and unloading of vehicles in accordance with the Local Planning Authority's "Car Parking Standards" 2008 (or any subsequent amendments). The approved scheme shall be implemented and made available for use before the development hereby permitted is occupied and that area shall not thereafter be used for any other purpose.

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

(06) The details to be submitted under the provisions of condition 3 shall trade descriptions of all materials proposed to be used on the external surfaces of the development. The approved materials shall be used in the implementation of the development.

Reason To ensure a satisfactory appearance of the development.

(07) The details to be submitted for approval in writing by the Local Planning Authority in accordance with Condition (1) above shall include details of the proposed slab levels of the building(s) in relation

to the existing and proposed levels of the site and the surrounding land. The building(s) shall be constructed with slabs at levels that have been approved in writing by the Local Planning Authority.

Reason: For the avoidance of doubt and to ensure a satisfactory form of development.

(08) Details to be submitted in accordance with Condition 1 above shall include means of disposal of foul and surface water from the development.

Reason: In order to ensure that the development is adequately drained.

(09) The dwelling hereby permitted shall be constructed to achieve a minimum Code for Sustainable Homes Level 3 and achieve a minimum of 6 credits under category Ene 1 - 'Dwelling Emission Rate' in accordance with the requirements of the Code for Sustainable Homes: Technical Guide 11 November 2010. (or any subsequent equivalent and/or standard or as may be approved in writing with the Local Planning Authority). The development shall be carried out entirely in accordance with the approved assessment and certification.

Reason: To mitigate the causes of climate change and ensure resilience against predicted future climate changes.

(10) Construction of the dwelling hereby permitted shall not begin until an 'Interim Certificate' has been submitted to and approved in writing by the Local Planning Authority, certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 6 credits under 'Ene 1 - Dwelling emission rate', has been achieved for the dwelling in accordance with the requirements of the Code for Sustainable Homes: Technical Guide 11 November 2010 (or any subsequent equivalent and/or standard or as may be approved in writing with the Local Planning Authority).

Reason: To mitigate the causes of climate change and ensure resilience against predicted future climate changes.

(11) Prior to the occupation of the dwelling hereby permitted, a Code for Sustainable Homes 'Final Certificate' shall be submitted to an approved in writing by the Local Planning Authority certifying that a minimum Code for Sustainable Homes Level 3 and a minimum of 6 credits under 'Ene 1 - Dwelling emission rate', has been achieved for the dwelling in accordance with the requirements of the Code for Sustainable Homes: Technical Guide 11 November 2010 (or any subsequent equivalent and/or standard or as may be approved in writing with the Local Planning Authority).

Reason: To mitigate the causes of climate change and ensure resilience against predicted future climate changes.

9. Other Relevant Policies

Gwynedd Structure Plan

A2 (Housing Land) D3 (Landscape Conservation Area)
D28 Natural Mineral Slate (Sewage)
D29 (Design)
FF11 (Traffic) FF12 (Parking Standards)
FF15 (Pedestrian Requirements)

Ynys Mon Local Plan

1 (General Policy)
26 (Parking)
31 (Landscape)
42 (Design)

48 Housing Development Criteria

Stopped Anglesey Unitary Development Plan

GP1 (Development Control Guidance)

GP2 (Design)

TR10 (Parking Standards)

EN1 (Landscape Character)

SG5 (Private Sewage Treatment Facilities).

Planning Policy Wales

Technical Advice 22 Sustainable Buildings

Isle of Anglesey Parking Standards (2008)