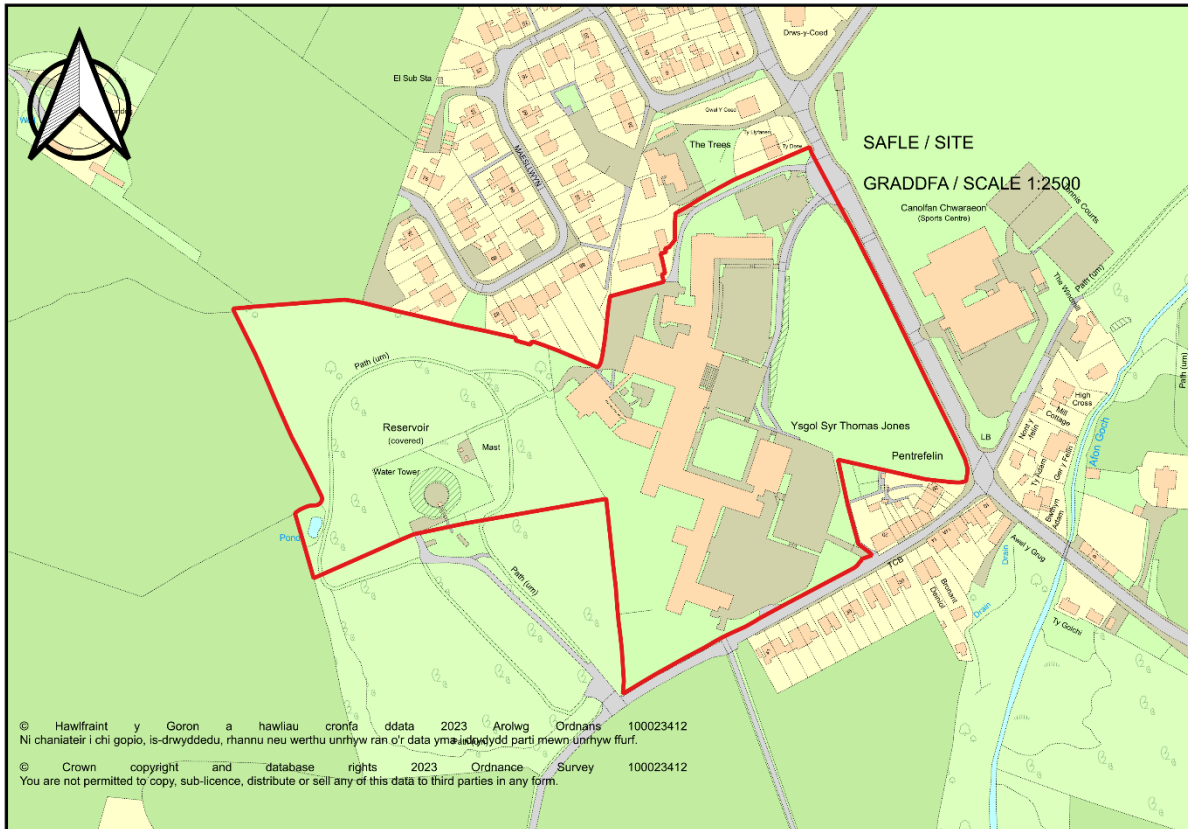


**Application Reference:** FPL/2023/303

**Applicant:** Ysgol Syr Thomas Jones

**Description:** Full application for the installation of an outdoor canopy, 3 outdoor table tennis tables, 2 basketball posts and an outdoor timber frame gazebo at

**Site Address:** Ysgol Syr Thomas Jones, Tanybryn Road, Amlwch.



**Report of Head of Regulation and Economic Development Service (Cai Gruffydd)**

**Recommendation:** Permit

**Reason for Reporting to Committee**

The application is presented to the Committee as the application is made on land which is owned by the County Council.

**Proposal and Site**

The application is made for the installation of an outdoor canopy, 3 outdoor table tennis tables, 2 basketball posts and an outdoor timber frame gazebo.

The application site is the listed Ysgol Syr Thomas Jones along Tanybryn Road, located within the development boundary of Amlwch, as defined in the JLDP.

### 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 or the listed building.

### Policies

#### Joint Local Development Plan

Policy PCYFF 2 – Development Criteria  
 Policy PCYFF 3 – Design and Place Shaping  
 Policy AMG 5: Local Biodiversity Conservation  
 Policy PS 20: Preserving and where Appropriate Enhancing Heritage Assets

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

Technical Advice Note 16: Sport, Recreation and Open Space

Planning Policy Wales (11th edition)

### Response to Consultation and Publicity

Consultee	Response
Iechyd yr Amgylchedd / Environmental Health	No objections - informatives provided for the applicant.
Cynghorydd Derek Owen	No response.
Cynghorydd Aled Morris Jones	No response.
Cynghorydd Liz Wood	No objections.
Cyngor Tref Amlwch Town Council	No objections.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	No objections – satisfied with the requested biodiversity enhancements.
Sport Wales FIT	No response.
Ymgynghorydd Treftadaeth / Heritage Advisor	The proposed development is located within the curtilage of a listed building. The heritage advisor attended a site meeting with the applicant on 09/10/2023 to discuss the proposals and agree suitable locations for the proposed features, so that the developments would not have a significant impact upon the setting of the listed building. The submitted plans and supporting information are as agreed at the meeting. Consequently, there are no built heritage objections.

## Publicity:

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties. A notice was also placed within the local newspaper due to the development being located within the curtilage of a listed building. The latest date for the receipt of any representation was the 06/12/2023. At the time of writing this report, no letter of representation had been received at the department.

## Relevant Planning History

11LPA101G/CC – No information available.

11LPA101H/CC – No information available.

11LPA101K/CC – Extensions comprising of 2 art rooms, pottery room and stores with link corridor at Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 30/07/1986.

11LPA101M/CC – Gosod dysgl i ddibenion addysg yn / Installation of satellite dish in school for educational purposes at Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 05/09/1990.

11LPA101N/LB/CC – Caniatad Adeilad Rhestredig ar gyfer adnewyddu yr labordy gwyddoniaeth yn / Listed Building Consent for the refurbishment of the science laboratory at Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Dychwelwyd i'r Ymgeisydd / Returned to Applicant - 24/05/2002.

11LPA101P/LB/CC – Caniatad Adeilad Rhestredig er mwyn defnyddio rhan o storfa fel toiled ir anabl yn / Listed Building Consent for the use of part of store room as disabled W.C. at Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Dychwelwyd i'r Ymgeisydd / Returned to Applicant - 24/05/2002.

11LPA101W/LB/CC – Caniatad Adeilad Rhestredig ar gyfer ailwampio ystafelloedd newid y gampfa yn / Listed Building Consent for the refurbishment of the gym changing rooms at Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 24/10/2006.

11LPA101Y/LB/CC – Cais Adeilad Rhestredig ar gyfer gwaith mewnol ac allannol yn / Application for Listed Building Consent for internal and external works at Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 11/08/2008.

11LPA101A/1/LB/CC – Cais am ganiatad adeilad rhestredig ar gyfer ail-wampio'r ystafell economeg y cartref yn / Application for listed building consent for the refurbishment of the home economics room at Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 11/08/2008.

11LPA101D/1/CC – Newidiadau allannol a mewnol yn / External and internal alterations to Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 14/08/2009.

11LPA101E/1/LB/CC – Caniatad Adeilad Rhestredig ar gyfer newidiadau allannol a mewnol yn / Listed Building Consent for external and internal alterations to Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 15/10/2009.

11LPA101F/1/LB/CC – Caniatad Adeilad Rhestredig ar gyfer gwaith mewnol i / Listed Building Consent for internal works to Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 16/06/2010.

11LPA101G/1/LB/CC – Caniatad Adeilad Rhestredig ar gyfer newidiadau mewnol yn / Listed Building Consent for internal alterations to Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 16/06/2010.

11LPA101H/1/LB/CC – Caniatad Adeilad Rhestredig ar gyfer gwaith i uwchraddio'r system gwresogi yn / Listed Building Consent for works to up-grade the existing heating system at Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 11/10/2012.

11LPA101J/1/LB/CC – Caniatâd Adeilad Rhestredig ar gyfer gwaith adnewyddu mewnol yn y prif doiledau ar gyfer y bechgyn gan gynnwys ciwbiclau, troethfeydd, systemau IPS ac unedau ymolchi newydd ynghyd â lwfrau allanol a griliau awyriant mewnol newydd i orchuddion y ffenestri yn y to yn / Listed Building Consent for internal refurbishment of main boys toilet, to include new cubicles, urinals, IPS system and vanity unit together with new external louvers and internal ventilation grills to upstands of glass pot rooflight at Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 18/07/2014.

11LPA101K/1/LB – Caniatâd Adeilad Rhestredig ar gyfer llunio 4 hatsh mynediad yn y llawr gwaelod crog yn/Listed Building Consent for the formation of 4 no access hatches in the suspended ground floor at Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 02/11/2015.

11LPA101M/1/LB/CC – Caniatâd Adeilad Rhestredig ar gyfer gwaith yn/ Listed Building Consent for works at Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 19/09/2016.

11LPA101Z/LB/CC – Caniatâd Adeilad Rhestredig ar gyfer gwaith mewnol (peintio) yn / Listed Building Consent for internal works (painting) at Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 23/03/2017.

FPL/2023/108 – Cais llawn ar gyfer gosod amryw o ffensys 2.2 metr, 2.9 metr, a 3.2 metr o uchder, gyda giatiau i gydfynd yn / Full application for installing various fences measuring 2.2 meters, 2.9 meters, and 3.2 meters high fences, with matching gates at Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 08/06/2023.

LBC/2023/9 – Caniatâd Adeilad Rhestredig ar gyfer ailosod ffenestri a drysau pren gyda ffenestri a drysau alwminiwm newydd, ynghyd â sgrin newydd sy'n gwrthsefyll tân yn/ Listed Building Consent for the replacement of timber windows and doors with new aluminium windows and doors, together with a new fire resistant screen at Ysgol Syr Thomas Jones, Ffordd Tanybryn Road, Amlwch. Caniatáu / Permitted - 27/07/2023.

### **Main Planning Considerations**

The main planning considerations are whether the proposal complies with current policies, and whether the development would have any negative impacts on the area, on any neighbouring properties or the listed building.

The application site is the listed Ysgol Syr Thomas Jones along Tanybryn Road, located within the development boundary of Amlwch, as defined in the JLDP.

The application is made for the installation of an outdoor canopy, 3 outdoor table tennis tables, 2 basketball posts and an outdoor timber frame gazebo. The outdoor canopy, 3 table tennis tables, and 2 basketball posts will be situated on the Eastern wing of the site on the hard standing play yard, and the outdoor timber frame gazebo will be situated in an enclosed outdoor space at the centre of the site. The development will enable numerous subjects to be taught in an alternative way, as well as providing a safe space for pupils of the school.

The outdoor timber frame gazebo will measure 6 meters x 6 meters. It will measure 2.4 meters in height to the lowest point of the roof and will measure 3.7 meters in height to the highest point of the roof.

The outdoor canopy measures 15.4 meters x 4 meters. It will measure 3 meters in height to the lowest point of the roof and will measure 3.6 meters in height to the highest point of the roof.

In accordance with the requirements of Policy AMG 5 of the JLDP and the duty to enhance biodiversity, a Bird Box as stated on drawing 'AL/15081/01 – Proposed site plan', will be installed on a nearby mature tree on the Eastern boundary of the site. Furthermore, the pupils will plant and maintain a wildflower section of the garden, as well as grow native species further enhancing their knowledge on biodiversity.

Policy PCYFF3 states that the proposal must be expected to demonstrate a high quality design and should complement and enhance the character and appearance of the site. The siting is considered acceptable given that the proposed development is situated far enough away from the public road. In addition, the design and appearance is considered acceptable given the design is using high quality materials. The scale of the development is considered acceptable given that the scale does not have a negative visual impact on the surrounding area or the listed building. Furthermore, effective biodiversity enhancements have been introduced on the site.

The site is well surrounded and screened by a plethora of trees and hedges, greatly reducing the visual impact from nearby properties. As the development is situated on the school playing field/yard, the site has a history of associated noise, especially during school hours. No objections were received for this proposal, and it is considered that this proposal will have no greater impact on the privacy and amenity of neighbouring properties. The closest property is 19-20, Pentrefelin, Rhos Beuno Road, Amlwch, which measures approximately 8 meters away. Given the previous use of this land, this proposal is not considered to impact the neighbouring properties to such a degree to warrant a refusal. It is considered that neighbouring properties will not be affected by this proposal, and that the proposal complies with Policy PCYFF 2.

Strategic Policy PS 20 recognises the importance, where appropriate, of protecting the setting of a heritage asset. Considerable damage can be done to the architectural or historic interest of an asset if the development is insensitive in design, scale or positioning. The proposed development is located within the curtilage of a listed building. The heritage advisor attended a site meeting with the applicant on 09/10/2023 to discuss the proposals and agree suitable locations for the proposed features, so that the developments would not have a significant impact upon the setting of the listed building. The submitted plans and supporting information are as agreed at the meeting. Consequently, there are no built heritage objections.

## **Conclusion**

The proposed development demonstrates high quality design and complements and enhances the character and appearance of the site. This proposal is considered a small scale development that will enable numerous subjects to be taught in an alternative way, as well as providing a safe space for pupils of the school. It is not considered that the proposed development will adversely impact the character of the listed building or the surrounding area. The proposal is not considered to have a negative impact upon the amenity of adjacent residential properties due to effective screening along the site boundaries. The proposal also offers biodiversity enhancements in accordance with the requirements of the Environment (Wales) Act and relevant Development Plan policies. It is considered that the overall design for the proposed scheme complies with the relevant planning policies and the recommendation is one of approval.

## **Recommendation**

That the application is permitted subject to the following conditions:

**(01) The development shall begin no 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:**

- **LP/15081/01 – Location plan.**
- **AL/15081/01 – Proposed site plan.**
- **Gazebo dimensions.**
- **A101 – Canopy dimensions.**
- **Canopy & Tennis Tables specification.**
- **Gazebo & Basketball Hoops specification.**

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

**(03) Prior to the use of the development hereby approved, a Bird Box as stated on drawing 'AL/15081/01 – Proposed site plan', shall be installed on a nearby mature tree on the Eastern boundary of the site at least 3 meters above the ground prior to work commencing on site, and shall be retained as such for the lifetime of the development hereby approved.**

Reason: To help conserve and safeguard biodiversity.

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, AMG 5, PS 20.

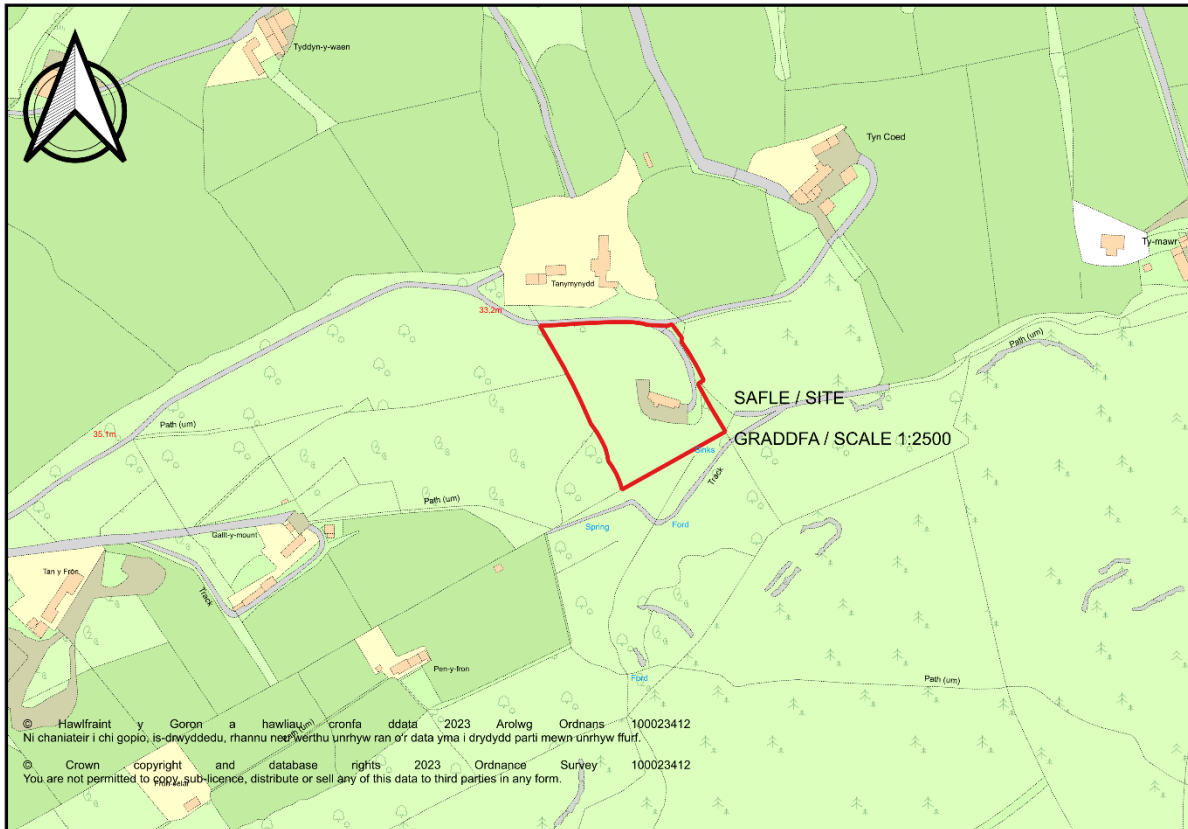
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2023/146

Applicant: Mr Matt Sharp

Description: Full application for the demolition of the existing dwelling and erection of a new dwelling together with associated works at

Site Address: Cae Graham , Pentraeth



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

At the request of the Local Member - Councillor Margaret Murley Roberts.

**Proposal and Site**

The application is for the demolition of the existing dwelling and the erection of a new dwelling together with associated works at Cae Graham, Pentraeth.

The application site is located within a designated Area of Outstanding Natural Beauty in a wooded area to the South of Red Wharf Bay situated along a track off Lon Y Traeth.

## Key Issues

The key issues are whether the development is in compliance with local and national planning policies and whether it is acceptable in terms of design, siting, scale, appearance and impact upon the character and appearance of the designated AONB.

## Policies

### Joint Local Development Plan

Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change  
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment  
Strategic Policy PS 5: Sustainable Development  
Policy PCYFF 4: Design and Landscaping  
Policy PCYFF 3: Design and Place Shaping  
Policy PCYFF 1: Development Boundaries  
Policy PCYFF 2: Development Criteria  
Policy TRA 4: Managing Transport Impacts  
Policy TRA 2: Parking Standards  
Policy TAI 13: Replacement Dwellings  
Policy AMG 1: Area of Outstanding Natural Beauty Management Plans  
Policy AMG 5: Local Biodiversity Conservation

Planning Policy Wales (Edition 11, February 2021)

Technical Advice Note 12: Design (2016)

Technical Advice Note 5: Nature Conservation and Planning (2009)

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

Supplementary Planning Guidance - Replacement Dwellings and Conversions in the Countryside (September 2019)

Anglesey AONB Management Plan 2023-2028

### Response to Consultation and Publicity

Consultee	Response
Swyddog Hawliau Tramwy Cyhoeddus/ Public Rights of Way Officer	No response at time of writing report.
Cynghorydd Euryn Morris	No response at time of writing report.
Cynghorydd Ieuan Williams	No response at time of writing report.
Cynghorydd Margaret Murley Roberts	Request that the application be referred to the Planning Committee for determination.
Cyngor Cymuned Pentraeth Community Council	No response at time of writing report.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Comments in relation to ecology and biodiversity matters.
Ymgynghorydd Tirwedd / Landscape Advisor	No response at time of writing report.
Polisi Cynllunio / Planning Policy	Comments and advice in relation to the relevant policy framework.



Iechyd yr Amgylchedd / Environmental Health	Comments in relation to environmental considerations.
Priffyrdd a Trafnidiaeth / Highways and Transportation	No objection / comments.
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objection / comments.
Dwr Cymru Welsh Water	No observations.
Draenio / Drainage	Comments in relation to SuDS requirements and flood risk.

The application was afforded three means of publicity. These were the posting of personal notification letters to the occupiers of the neighbouring properties, the posting of a site notice and the publication of an advert in the local press. The latest date for the receipt of representations was the 22/11/2023. At the time of writing this report, 9 representations had been received and the main points are summarised below:

- Concern regarding surface water drainage/flooding – during heavy rain a lot of surface water flows down the tracks/hillside, concern that the development would exacerbate issues with surface water / *No concerns have been raised in this regard from relevant statutory consultees and in any case separate SuDS approval will also be required.*
- The track to the site is unsuitable/inadequate for more permanent residents and there is no vehicular right of way along the track which is not within the applicants ownership / *The proposal is for a replacement dwelling and will not therefore increase the number of residents. Certificate B and appropriate notices have been served on the landowner as part of the application, this is ultimately a private legal matter and the onus is upon the applicant to ensure that the relevant rights of way are in place.*
- Claim that the existing property has never been used as a permanent residence, queries regarding the granting of a Lawful Use Certificate / *The property was granted a Certificate of Lawfulness in January 2016 (ref 42C249/LUC). No such claims were submitted to the LPA at the time of dealing with the CLEUD. The matters raised in the objections to this application were referred to the Council's Legal Department who reviewed the CLEUD application and was satisfied that it was dealt with and determined in the appropriate manner.*
- Concern regarding visual impact and impact on AONB / *Addressed in the main body of the report.*
- Concern regarding the size, scale and prominence of the new dwelling / *Addressed in the main body of the report.*
- Concern regarding traffic, noise, disturbance during construction works and the impact this would have on the surface of the track and wall/bridge over river. / *Whilst acknowledging that such works would give rise to some disturbance, this would be a short term impact and is not grounds upon which the application could be refused.*
- Concern regarding the stability of the land to accommodate a new permanent dwelling / *This is a matter for Building Control.*
- No information submitted in relation to viability/cost of retaining/renovating/upgrading existing dwelling / *The LPA are satisfied that due to the method of construction and poor thermal and weather resistance that the building has a limited lifespan and that its replacement with a permanent building is a more economical option, consequently, viability/cost information is not required in this instance.*
- Concern regarding impact on wildlife, ecology, biodiversity, trees etc. / *Addressed in the main body of the report.*
- Concern that the proposed new dwelling would be used as a holiday home/let. / *The application is made for a replacement dwelling however consent would not be required for its use as a second home or short term holiday lets unless the Authority adopts an Article 4 direction removing permitted development rights for changes of use between dwellings, second homes and short term holiday lets.*
- The existing dwelling was constructed without planning permission / *Notwithstanding that that may be the case, the property has nevertheless been granted a Certificate of Lawfulness (ref 42C249/LUC granted on 6.1.16)*

- The proposed replacement dwelling is not on the footprint of the existing dwelling / *Addressed in the main body of the report.*
- Concern regarding overlooking/loss of privacy / *It is not considered that the proposal would give rise to an unacceptable degree of overlooking/loss of privacy due to existing screening/tree cover, topography and that there is sufficient separation between the proposed dwelling and neighbouring properties.*
- Proposal is contrary to the provision of policy TAI 13 / *Addressed in the main body of the report.*

## Relevant Planning History

42C249/LUC - Cais am Dystysgrif Datblygiad Cyfreithlon ar gyfer defnydd presennol fel annedd preswyl yn / Application for a Lawful Development Certificate for the existing use as a residential dwelling at Y Mynydd, Pentraeth - Cyfreithlon / Lawful 6.1.16

## Main Planning Considerations

The application is made for the demolition of the existing dwelling and erection of a new dwelling together with associated works at Cae Graham, Pentraeth.

The application site is located in the open countryside in a designated Area of Outstanding Natural Beauty.

LANDMAP describes the area as '*Rising steeply from Red Wharf Bay to 157m, this hillside provides a fine backdrop to the coast and offers a grand view across the bay. When seen from inland, this area is noticeably craggy, with gorse-covered knolls interspersed with marshy hollows, but is not much higher than the adjacent farmland plateau. Within this area, the settlement of Llanddona is spread out around a series of small greens. From Llanddona steep lanes lead down the hillside, passed scattered houses overlooking the bay. Altogether this is an attractive landscape.*'

Its overall Value is noted as **High** as a '*Distinct hillside backdrop to Red Wharf Bay, with pattern of small scale enclosures, excellent views, attractive scattered houses. Masts mar a little.*'

The main issues in this case is whether the proposal accords with relevant development plan policies and the impact of the proposed development upon the designated landscape and the amenities of the area and neighbouring properties.

Policy PCYFF 1 of the JLDP relates to Development Boundaries and states that the plan identifies Development Boundaries for the Sub-regional Centre, Urban Service Centres, Local Service Centres, Service Villages and Local/Rural/Coastal Villages. Proposals within Development Boundaries will be approved in accordance with other policies and proposals of this Plan, national planning policies and other material planning considerations.

Outside development boundaries development 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 application site lies outside of any defined development boundary and therefore falls to be considered against other specific plan policies.

Policy PCYFF 2 of the JLDP relates to development criteria and states that proposals should demonstrate compliance with relevant plan policies and/or national planning policy and guidance.

Policy PCYFF3 relates to Design and Place Shaping and requires that all proposals will be expected to demonstrate high quality design which fully takes into account the natural, historic and built environmental context and contributes to the creation of attractive, sustainable places and sets out a number of criteria against which proposals must be assessed.

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

Criterion 2 requires that it respects the context of the site and its place within the local landscape, including its impact on important principal gateways into Gwynedd or Anglesey, its effects on the townscape and the local historic and cultural heritage and it takes account of the site topography and prominent skylines or ridges.

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

Policy PCYFF 4 relates to Design and Landscaping and requires that 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. A landscape scheme should, where relevant:

1. Demonstrate how the proposed development has given due consideration to the Landscape Character Area Assessment or Seascape Character Area Assessment;
2. Demonstrate how the proposed development respects the natural contours of the landscape;
3. Demonstrate how the proposed development respects and protects the local and strategic views;
4. Respect, retain and complement any existing positive natural features, landscapes, or other features on site;
5. Identify trees, hedgerows, water courses and topographical features to be retained;
6. Provide justification for circumstances where the removal/loss of existing trees, hedgerows, water courses and topographical features cannot be avoided and provides details of replacements;
7. Provide details of any proposed new landscaping together with a phased programme of planting;
8. Demonstrate that any proposed new planting includes plants and trees of mainly native species of local provenance and does not include any non-native invasive species;
9. Ensure that selection of species and planting position of any trees allows for them to grow to their mature height without detriment to nearby buildings, services and other planting; and
10. Provide permeable hard surface landscaping

Policy AMG 1 relates to Area of Outstanding Natural Beauty Management Plans and states that proposals within or affecting the setting and/or significant views into and out of the Areas of Outstanding Natural Beauty must, where appropriate, have regard to the relevant Area of Outstanding Natural Beauty Management Plan.

The most relevant development plan policy against which to assess the application is policy TAI 13: Replacement Dwellings, together with other more general policies relating to design and place shaping etc.

Policy TAI 13 states that proposals for the replacement of a dwelling that meet the following criteria, where appropriate, will be granted.

1. Outside development boundaries or identified clusters, the present dwelling has a lawful residential use;
2. The building is not listed
3. The existing dwelling is of no particular architectural and/or historic and/or visual merit, for which it should be conserved;
4. Outside development boundaries the existing dwelling is not capable of retention through renovation and extension and/or it is demonstrated that the repair of the existing building is not economically feasible;
5. Outside development boundaries, the proposed dwelling is not a replacement for a caravan or holiday chalet that has legal residential status;
6. Outside a Coastal Change Management Area, the siting of a replacement dwelling should be within the same footprint as the existing building unless it can be demonstrated that relocation within the curtilage lessen its visual and amenity impact in the locality;

7. Outside development boundaries, the siting and design of the total new development should be of a similar scale and size and should not create a visual impact significantly greater than the existing dwelling in order that it can be satisfactorily absorbed or integrated into the landscape. In exceptional circumstances a larger well designed dwelling that does not lead to significant greater visual impact could be supported;
8. In area at risk from flooding and outside a Coastal Change Management Area;
  - i. A flood consequence assessment has been undertaken for the development and satisfactory risk mitigation has been identified.
  - ii. The dwelling will incorporate flood mitigation and resiliency measures in accordance with Community and Local Government (CLG) publication 'Improving the flood performance of new buildings; flood resilient construction';
  - iii. The building must be appropriately designed to withstand and be resilient to hydrostatic pressure resulting from a breach/overlapping of the tidal defences;
  - iv. A flood warning and evacuation plan has been prepared for the property and is to be displayed on site.
9. Exceptionally, when a recently or inhabited or habitable dwelling is destroyed by accident, planning permission may be granted for a new dwelling, in situ. Evidence about the status and previous condition of the building and the cause and extent of the damage must be provided.

Planning permission for a replacement dwelling may be subject to a condition to ensure:

1. The demolition of the original dwelling and where appropriate the demolition of outbuildings on the completion of the new dwelling and/or
2. That permitted development rights are removed.

The above policy is supported by Supplementary Planning Guidance (SPG): Replacement Dwellings and Conversions in the Countryside which was adopted on the 6<sup>th</sup> September 2019 and which provides further guidance and advice in relation to applications for replacement dwellings in the countryside.

The proposal relates the replacement of an existing unlisted dwelling with lawful residential status and is not a replacement of a lawful residential caravan or chalet (as defined under the Caravan Sites and Control of Development Act 1960), in addition it is not considered that the existing dwelling is of any particular architectural, historic or visual merit such that it should be conserved, the proposal therefore meet criteria 1, 2, 3 and 5 of the policy.

Criterion 4 of the policy requires that the existing dwelling is not capable of retention through renovation and extension and/or it is demonstrated that the repair of the existing building is not economically feasible.

Further guidance is contained in the SPG which states that it should be demonstrated that repairing the existing building is not economically practical and that a structural report should be provided that notes the suitability of the building for reuse, furthermore the structural survey should be supported by a Financial Viability Report detailing the cost of undertaking the restoration/adaption of the building compared to the costs associated with demolition and replacement. A house that requires modernisation is not eligible to be considered for demolition and replacement. Any Viability Assessment should include the costs associated with repairing the identified problem, the costs in terms of repairing the building should not include work that is part of the applicant's aspiration.

A Structural Survey has been submitted as part of the application which confirms that the existing building is of timber frame construction of poor thermal performance and weather resistance. Such buildings generally have a limited lifespan and whilst it may be possible to undertake repairs to the building, clearly the works necessary to bring to the property to an acceptable standard are significant and by its very nature would serve to only prolong the life of the building in the short term, consequently it is therefore accepted that the renovation and retention of the existing dwelling is not economically feasible in this instance and its replacement is an appropriate and sustainable long term solution, in accordance with criterion 4 of policy TAI 13.

The existing dwelling is located towards the rear of the site and faces North East. The proposed dwelling would be sited slightly forward of and lower than the existing dwelling and oriented to face the North West to take advantage of open views. Whilst the proposed replacement dwelling would not be in precisely the same location as the existing, there would be some overlap of the building footprints which would ensure that the existing dwelling would need to be demolished in order to erect the replacement dwelling, furthermore it is not considered that the proposed siting would give rise to unacceptable landscape or visual impacts upon the designated AONB or upon the amenities of adjoining uses. On balance it is therefore considered that the proposal accords with criterion 6 of the policy.

Criterion 8 and 9 of the policy are not relevant to this development.

Criterion 7 states that outside development boundaries, the siting and design of the total new development should be of a similar scale and size and should not create a visual impact significantly greater than the existing dwelling in order that it can be satisfactorily absorbed or integrated into the landscape. In exceptional circumstances a larger well designed dwelling which does not lead to significantly greater visual impact could be supported.

Further guidance is contained in the SPG which states that where justification has been received which would mean that the floor area would need to be larger than the original building, it is considered that this addition should be no larger than 20% of the floor area of the original unit. It notes that this figure is not a target to be achieved and every application will be assessed individually according to merit. It should be ensured that the addition in the floor area is totally essential in terms of practicality and should not be part of an aspiration for a larger house. It is further notes that no outbuilding should be considered when calculating the floor area of the residential unit and that nearby buildings that are larger in size are not a reasonable justification to increase the size of the residential unit that is subject to replacement.

The proposal would replace the existing single storey dwelling with a larger, partially two-storey property. LDP Policy TAI 13 permits proposals for replacement dwellings, subject to a range of criteria being met, with further guidance provided in the Council's adopted Supplementary Planning Guidance 'Replacement Dwellings and Conversions in the Countryside' (SPG).

Criterion 7 requires the siting and design of replacement dwellings to be of a similar scale and size as the existing dwelling, and that proposals should not result in a significantly greater visual impact. It goes on to state that in exceptional circumstances a larger well-designed dwelling that does not lead to significantly greater visual impact could be supported.

Whilst the proposal would lead to a dwelling some 50% larger than the dwelling that currently exists, it is of a high quality design and use of dark natural materials which along with appropriate landscaping would represent an improvement upon the existing development and integrate well into the landscape. The dwelling would be nestled into the hillside and be well screened by existing trees and topography and would not result in a significantly greater or unacceptable visual impact upon the character and appearance of the area or designated AONB.

It is therefore considered that the proposal complies with the provisions of policies PCYFF3, PCYFF4, TAI13 and AMG 1 of the JLDP.

Policy TRA 2 (Parking Standards) requires that parking provision for all modes of transport should be in accordance with the Council's parking standards. The proposal includes adequate parking provision.

The highways department have been consulted on the proposal and have raised no objection subject to a conditions.

An Ecological Appraisal and Bat Survey Report have been submitted as part of the application. The report found evidence of bats and of the presence of invasive non-native species (Variegated Yellow Archangel and Wall Cotoneaster) on the site consequently the permission will be subject to relevant conditions as appropriate.

The proposal also includes appropriate bat mitigation and biodiversity enhancements in accordance with policy AMG5 and the Section 6 Duty of the Environment Wales Act 2016.

## **Conclusion**

The proposal is considered to be acceptable and accords with relevant local development plan policies and it is not considered that the proposal would give rise to a significant detrimental visual impact upon character and appearance of the designated area or the amenities of nearby properties.

## **Recommendation**

That the application is permitted subject to the following conditions:

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

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

**(02) The site shall be landscaped in accordance with the landscaping and planting scheme detailed on drawing No. 1243 A DR 010 Rev. E during the first planting season following the occupation of the dwelling or the completion of the development, whichever is the sooner. The said trees and shrubs shall be maintained for a period of five years from planting and any trees or shrubs that die, or become severely damaged, or seriously diseased during this period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted.**

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

**(03) Full details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. Thereafter the works shall be carried out and maintained in accordance with the approved details.**

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

**(04) No development shall commence until a method statement detailing measures to prevent the spread of non-native invasive species has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

Reason: To prevent the spread of non-invasive species.

**(05) The car parking accommodation shall be completed in full accordance with the details as shown on the submitted plan reference 1243 A DR 010 Rev. E before the use hereby permitted is commenced and thereafter retained solely for those purposes.**

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

**(06) 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.

**(07) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking or re-enacting that Order), the development permitted by Classes A, B, C, D, and E of Part 1 of Schedule 2 are hereby excluded.**

Reason: In the interests of residential and visual amenity.

**(08) The development hereby approved shall be carried out in accordance with the Recommendations detailed in sections 5 of the Ecological Appraisal November 2022 and the Mitigation Measures detailed in section 5.2 of the Bat Survey Report 2023 by Rachel Hacking Ecology.**

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

**(09) In the event of any contamination being found, a suitable Remediation Strategy should be prepared for the site which should be submitted to the Local Planning Authority for its written approval prior to any other works being carried out.**

Reason: In the interests of public health.

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

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

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

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

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

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

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

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

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

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

**(11) 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 Plan: 1243 A DR 000 Rev. A
- Proposed Site Plan: 1243 A DR 010 Rev. E
- Proposed Plans: 1243 A DR 011 Rev. C
- Proposed Elevations: 1243 A DR 012 Rev. B
- Proposed Levels: 1243 A DR 014 Rev. A
- Lighting Splay: 1243 A DR 015 Rev. B
- Drainage Design GA: 1093-WML-00-XX-DR-C-1001 Rev. P02
- Ecological Appraisal, Rachel Hacking Ecology, November 2022

- **Bat Survey Report 2023, Rachel Hacking Ecology**
- **Arboricultural Impact Assessment, WC-133.1a, Woodsage Consulting, 1 December 2022**
- **Structural Report, WML Consulting**
- **Design and Access Statement, JDA Architects**

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

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

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, PS19, PCYFF1, PCYFF2, PCYFF3, PCYFF4, TRA2, TRA4, TAI13, AMG1, AMG5.

## **INFORMATIVE**

### **Vibration:-**

It is highly recommended that the applicant undertake an external and internal pre-condition survey of all residential properties that will be in close proximity to any piling / rock breaking / pecking / demolition activities to check for any pre-existing cracks and structural damage. This would not only protect the developer from any future legal claims of damage etc., but it would also provide the residents with some degree of comfort that any issues relating to the properties as a direct result of the developers activities could be addressed in a reasonable and proportionate manner.



Application Reference: FPL/2023/232

Applicant: Head of Highways, Waste and Property

Description: Full application for the erection of solar photovoltaic panel structures with car port parking below at

Site Address: Isle of Anglesey County Council, Llangefni



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

Recommendation: Permit

### Reason for Reporting to Committee

The planning application is made by the Isle of Anglesey County Council and the land is owned by the Council.

### Proposal and Site

This is a full application for the erection of solar photovoltaic panel structures with car port parking below the PV panels which are to be located on two of the Isle of Anglesey Car Parks located to the East and South East of the Council Headquarter building.

Between the both car parks a total of 1,062 solar PV panels will be installed and it is estimated that these panels will produce 389.55MWh. The panels are expected to have a lifespan of 30 years. The solar PV structures will be installed on 3.3m high poles with a clearance of 2.3m on one side and a clearance of 3.3m on the opposite side, this will allow cars to park underneath the PV panels. No car parking spaces will be lost as a result of the development.

The electricity generated from the PV system will be consumed by all buildings/accessories connected to the Isle of Anglesey County Council building and electric vehicle chargers. Any electricity generated not used will go back into the grid. Although not part of this planning application, a battery storage solution can be added at a later date to allow for excess energy to be stored for future use.

### Key Issues

- Policy Considerations
- Biodiversity and Green Infrastructure
- Highways/Access
- Impact upon adjacent buildings

### Policies

#### Joint Local Development Plan

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

Policy PCYFF 1: Development Boundaries

Policy PCYFF 2: Development Criteria

Policy PCYFF 3: Design and Place Shaping

Policy PCYFF 4: Design and Landscaping

Policy TRA 2: Parking Standards

Strategic Policy PS 5: Sustainable Development

Strategic Policy PS 7: Renewable Energy Technology

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

Policy AMG 5: Local Biodiversity Conservation

Policy ADN 2: PV Solar Energy

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

Planning Policy Wales (Edition 11, February 2021)

Technical Advice Note 12: Design (2016)

### Response to Consultation and Publicity

Consultee	Response
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	The proposal has been amended to provide ecological enhancements such as bird and bee boxes. The ecologist is satisfied with the ecological enhancements provided with the planning application.
Priffyrdd a Trafnidiaeth / Highways and Transportation	Conditional approval subject to a Construction Traffic Management Plan
Dwr Cymru Welsh Water	Conditional Approval in relation to no surface water shall be allowed to connect directly or indirectly with the public sewerage network.

GCAG / GAPS	No comments
Cyfoeth Naturiol Cymru / Natural Resources Wales	Confirmation that the proposed development does not affect a matter listed in the Consultation Topics.
Cyngor Tref Llangefni Town Council	No objection
Cynghorydd Nicola Roberts	No response
Cynghorydd Geraint ap Ifan Bebb	Support for the application. Confirmation that this planning application is a positive step for the future and generation of renewable energy.
Iechyd yr Amgylchedd / Environmental Health	Standard Advice in relation to hours of construction
Draenio / Drainage	No response
Polisi Cynllunio / Planning Policy	Standard Advice in relation to relevant policy considerations

The proposal has been advertised through distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of any representation was the 15/11/2023. At the time of writing this report, one letter of representation had been received at the department.

The main comments confirmed that the development would not affect them unless roads are to be closed off.

In response to the above comments, no roads are planned to be closed off as a result of this development.

### Relevant Planning History

No relevant planning history

### Main Planning Considerations

#### Policy Considerations

Both national and local planning policy is generally supportive of solar developments, providing the proposal would not have a detrimental impact on the surrounding area.

The main policy consideration is Policy ADN 2 which supports solar development subject to adherence with the following criterion;

*1. All impacts on landscape character, heritage assets and natural resources have been adequately mitigated, ensuring that the special qualities of all locally, nationally and internationally important landscape, biodiversity and heritage designations, including, where appropriate, their settings are conserved or enhanced;*

**The solar PV panels will be located on an existing car park within the Industrial Estate at Llangefni. It is not considered that there will be any impacts on the landscape character, biodiversity or heritage designations. The site is well screened by large industrial units and the Council Headquarters building. There are some mature trees and hedges on the boundaries of the car park which will also help mitigate any impact.**

*2. The proposal will not result in significant harm to the safety or amenity of sensitive receptors including effect from glint and glare and will not have an unacceptable impact on roads, rail or aviation safety;*

**It is not considered that there will be any glint and glare and unacceptable impact on roads. Large industrial units are located between the main highway and the application site and the LPA is satisfied that there will be no impact upon highway safety.**

*3. The proposal will not result in significant harm to the residential visual amenities of nearby residents;*

**There are no residential properties located nearby. The site is within the Industrial estate of Llangefni. There are industrial units nearby; however, it is not considered that the proposal will cause any harm to these industrial units.**

*4. The proposal will not have unacceptable cumulative impacts in relation to existing solar PV farms and those which have permission and other prominent landscape features;*

**There are no other solar PV farms in the immediate vicinity of the site.**

*5. The panels and associated infrastructure will, at the end of the operational life of the facility, be removed in accordance with a restoration and aftercare scheme submitted to and agreed by the Local Planning Authority.*

**A condition will be placed on the permission to remove the PV panels and structures when they come to the end of their operational life**

*6. That a Construction Environmental Management Plan (CEMP) is provided to demonstrate that any potential negative effects arising during construction and decommissioning phases are avoided.*

As the development is located on an Industrial Estate away from any neighbouring properties it is not considered that the proposal would have negative effects during construction and decommissioning. Limited work would be required to install the structures and it is not considered that a Construction Environmental Management Plan is required in this instance. However, the Highways Authority has requested that the applicant provide a Construction Traffic Management Plan to deal with construction traffic and this will be a condition that will require to be discharged prior to the commencement of work on site.

Strategic policy PS 7 states that the Council will promote renewable energy technologies within development proposals which support energy generation from a variety of sources. This is reiterated in section 5.9.1 of Planning Policy Wales, which states that local authorities should facilitate all forms of renewable and low carbon energy development. Section 5.9.10 continues by stating that planning authorities should ensure that development plan policies are supportive of renewable and low carbon energy development.

Policy PS6 – Alleviating and Adapting to the Effects of Climate Change states that in order to adapt to the effects of climate change, proposals to reduce energy demand and energy efficiency will be supported.

Policy PCYFF2 of the JLDP relates to development criteria and states that proposals will be refused where the development would have an unacceptable impact on health, safety or amenity of occupiers of local residences due to increased disturbance, light pollution, noise etc.

Policy PCYFF3 of the Joint Local Development Plan (JLDP) requires proposals to demonstrate high quality design which fully considers the natural, historic and built environmental context and contributes to the creation of attractive, sustainable places. Innovative and energy efficient design will be particularly encouraged.

Policy PCYFF4 of the JLDP is relevant and the proposed development has been designed to retain all existing trees and hedges on the boundaries of the car park.

Policy TRA2 of the JLDP emphasises that parking provision should be in accordance with the Council's Parking Standards. The proposal does not impact have an impact on the number of car parking spaces. The proposal has been designed to ensure that cars are able to park underneath the PV panels.

Strategic Policy PS19 and Policy AMG5 of the JLDP states that proposals must enhance biodiversity, the proposal includes bird and bee boxes within existing mature trees on the boundary of the site.

The proposal also complies with the Well-being of Future Generations Act 2015 as the proposal will help achieve 4 of the 7 well-being goals; A prosperous Wales, A resilient Wales a healthier Wales and a globally responsible Wales.

### **Biodiversity and Green Infrastructure**

The updated advice in Chapter 6 of Planning Policy Wales (PPW) is to apply a step-wise approach to maintain and enhance biodiversity, build resilient ecological networks, and deliver net benefits for biodiversity. The first priority is to avoid damage to biodiversity in its widest sense and ecosystem functioning. Where there may be harmful environmental effects, planning authorities will need to be satisfied that any reasonable alternative sites (including alternative siting and design options) that would result in less harm, no harm or benefit have been fully considered.

In accordance with the requirements of Policy AMG5 of the Joint Local Development Plan, Chapter 6 of the Environment Wales Act and the latest advice in PPW the proposal ensures that no existing trees will be affected by the development. The proposal includes bird and bee boxes to be installed on mature trees on the boundary of the car park. It is considered that the proposal is acceptable and complies with the requirements of Policy AMG5, the Environment Wales Act and the latest changes to Chapter 6 of PPW.

### **Highways and Access**

The proposal has been designed so that cars are able to park underneath the PV structures. No parking spaces will be lost as a result of the development. The Highways authority has confirmed that they are satisfied with the proposal subject to a Construction Traffic Management plan being submitted prior to the commencement of work on site.

### **Impact upon adjacent buildings**

The impact of the proposal, in particular upon the amenity of nearby land users has been considered in accordance with the criteria as set out in Policy PCYFF2 of the JLDP. Specific consideration has been given to subsection 6 which stipulates that planning permission should be refused if the proposed development would have an adverse impact on the health, safety or amenity of occupier of local residence or other land and property users. There are no residential properties nearby, but there are industrial units located in close proximity of the proposal. Due to the orientation of the nearby industrial units it is not considered that these Solar PV panels will have a negative impact upon nearby land users.

### **Conclusion**

The proposal will help achieve net zero and will assist the Isle of Anglesey County Council to promote renewable energy technologies, this in turn will reduce energy demand and assist with the energy efficiency of the Council HQ building and its functions.

The proposal provides biodiversity net gain without any impact on existing trees or hedges on the site. It is not considered that the proposal will have a negative impact upon neighbouring uses, on the landscape or on Highway safety.

The proposal complies with all relevant policies listed in the main body of the report and is 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) Where the solar PV panels hereby approved have not been used for the generation of energy for a continuous period of 6 months or at the end of the operational life of the panels, whichever is the sooner, the solar PV panels shall be removed from the site and the land reinstated to its former condition with the said reinstatement completed within 2 months of the cessation of use.**

Reason: In the interest of the amenities of the locality.

**(03) The bird and bee boxes as indicated on the location plan submitted with the planning application shall be installed within 3 months of the completion of the development.**

Reason: In order to ensure that the development provides overall biodiversity gain in accordance with Policy AMG5.

**(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 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**
- **Location Plan showing bird and bee boxes**
- **Topographic Survey – 23147/01**
- **Topographic Survey – 23147/02**
- **Car Park PV Roof Layout – RES00251-01 Rev 02**
- **Car Port Elevations Carport A -RES00251-05 Rev 00**
- **Car Port Elevations Carport B + C – RES00251-06 Rev 00**
- **Car Port Elevations Carport D – RES00251-07 Rev 00**

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

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

- i. **Vehicle parking for site operators and visitors**
- ii. **Loading and unloading machinery and materials**
- iii. **Storage of equipment and materials used in the construction of the development**
- iv. **Wheel washing facilities (if appropriate).**
- v. **Hours and days of operation and control and operation of construction and delivery vehicles.**

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

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

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PS6, PCYFF1, PCYFF2, PCYFF3, PCYFF4, TRA2, PS5, PS7, PS19, AMG5, PS1, ADN2

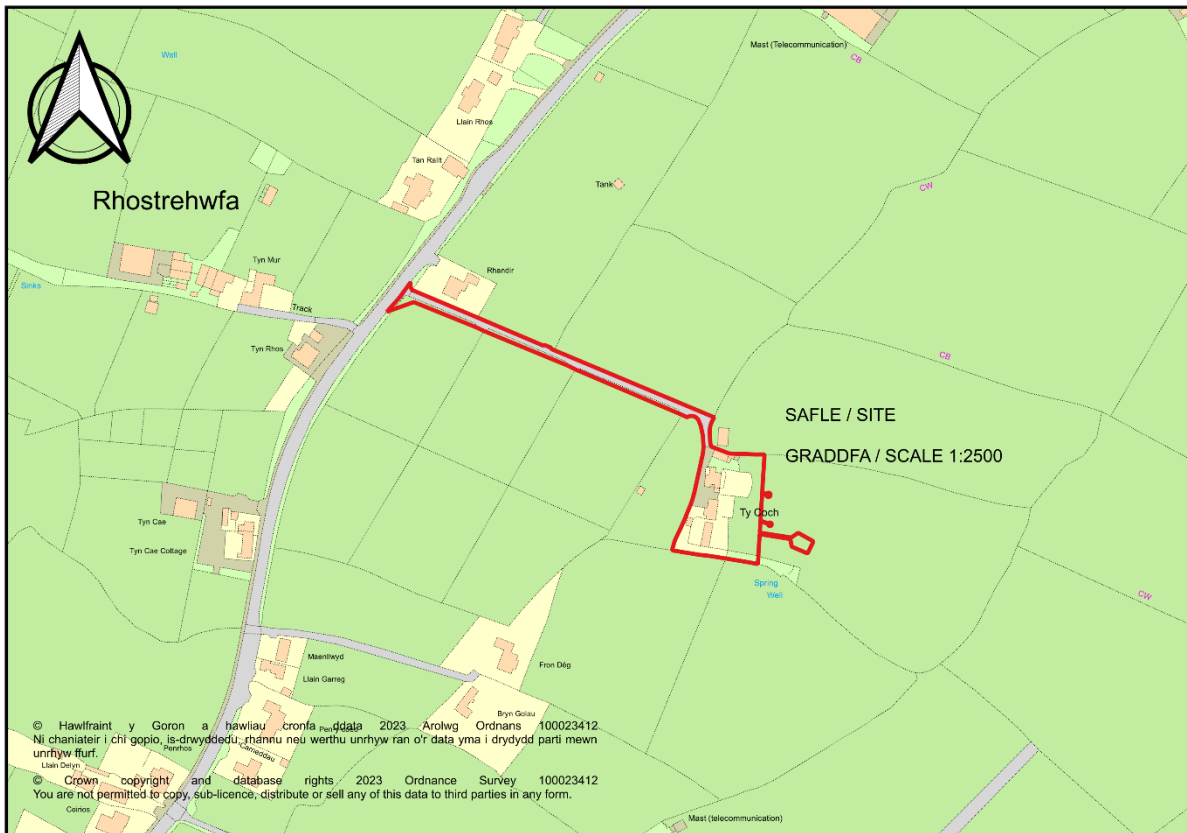
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2023/227

Applicant: Mr G Gibson

**Description:** Full application for the demolition of the existing dwelling together with the erection of a replacement dwelling, together with alterations to existing access, private treatment plant, and associated works at

**Site Address:** Ty Coch Farm, Rhostrehwfa,



**Report of Head of Regulation and Economic Development Service (David Parr-Sturgess)**

**Recommendation:** Refuse

**Reason for Reporting to Committee**

The existing access/track is retained in the freehold ownership of the David Hughes Charitable Estate, whereby the Council is the sole trustee. The applicant has a formal right of way along the track to access their property and authority has been provided to permit this application.

**Proposal and Site**

The proposed site is located along a single lane track that is accessed from the public road between Rhostrehwfa and Llangefni. The site is not with a development boundary or a cluster of dwellings and is considered within the open countryside as defined by the Joint Local Development Plan. The existing site



has an existing two storey farmhouse dwelling, two outbuildings and agricultural land owned by the applicant on land adjacent to the East and West.

The proposed development is the demolition of the existing dwelling and one of the outbuildings together with the erection of a replacement dwelling, alterations to existing vehicle access onto the public road, installation of a private treatment plant, extension to the residential curtilage together with soft and hard landscaping.

### Key Issues

The key issues are whether the proposal complies with planning policies, SPGs and the siting, scale, design and appearance would have a negative impact on the site and the surrounding area.

### Policies

#### Joint Local Development Plan

PS 2 Infrastructure and developer contributions  
 ISA 1 Infrastructure Provision  
 PS 4 Sustainable transport, development and accessibility  
 TRA 2 Parking standards  
 TRA 4 Managing transport impacts  
 PS 5 Sustainable development  
 PS 6 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  
 PCYFF 5 Carbon Management  
 PCYFF 6 Water conservation  
 TAI 13 Replacement Dwellings

Supplementary Planning Guidance: Replacement Dwellings and Conversions in the Countryside  
 Supplementary Planning Guidance: Design Guide For The Urban & Rural Environment

Technical Advice Note 12: Design

Planning Policy Wales (Edition 11 February 2021)

### Response to Consultation and Publicity

Consultee	Response
Cynghorydd Geraint ap Ifan Bebb	No observations received to date.
Dwr Cymru Welsh Water	Requested the applicant discuss with Welsh Water regarding the watermain crossing the vehicle access onto the public road and that the watermain might be able to be diverted.
Cynghorydd Nicola Roberts	No observations received to date.
Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service	Stated there are no comments to be made in this instance.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	The Ecological Advisor had concerns regarding the removal of hedgerow along the vehicle access

	track and the application would need to mitigate more hedgerow on site.
Priffyrdd a Trafnidiaeth / Highways and Transportation	The first consultation response requested further information and plans as to the alterations to the vehicle access onto the public road. The agent provided the requested plans and information. The Highways Authority support the improvements to the vehicle access on the condition that a section 171 is agreed for the works being carried out to the verge. The other proposed works to the access, it is a matter of agreement between the local authority's property department, David Hughes Charitable Estate, and the applicant regarding the rest of the works into the field to open the splay of the access up.
Iechyd yr Amgylchedd / Environmental Health	Provided advice and comments regarding environmental issues, contaminated land and possible development vibrations.
Cyngor Cymuned Llangristiolus Community Council	Requested more time to consult on first consultation request but no observation received. The second consultation there has been no observations received to date.
Swyddog Hawliau Tramwy Cyhoeddus/ Public Rights of Way Officer	The footpaths officer has concerns that the proposed boundary treatments would block the existing footpath. The agent has confirmed on the amended plan that the boundary is an existing hedgerow and would not block the footpath. Footpath officer has confirmed that they are satisfied with the arrangement.
Polisi Cynllunio / Planning Policy	Provided comments on how the proposed application will need to comply with all criteria within JLDP Planning Policy TAI 13.
Adain Eiddo / Property Section	Confirmed the ownership of the vehicle access and track.
Draenio / Drainage	Advice for applicant regarding SAB application.
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objection to the proposed development and advice for the applicant.

## Publicity

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties, a site notice put on site together with an advertisement within the local newspaper with the expiry date for receiving representations was the 15/12/2023. At the time of writing this report no letters of representation have been received.

## Relevant Planning History

FPL/2023/47 - Cais llawn i ddymchwel yr annedd bresennol ynghyd â chodi annedd newydd, ynghyd a garej newydd, system trin carffosiaeth, a gwaith cysylltiedig yn / Full application for the demolition of the existing dwelling together with the erection of a replacement dwelling, together with a new garage,

treatment plant, and associated works at Ty Coch Farm, Rhostrehwfa, Llangefni. Tynnwyd yn ôl / Withdrawn 15/05/2023.

## **Main Planning Considerations**

The application is for the demolition of the existing dwelling and one of the outbuildings together with the erection of a replacement dwelling, alterations to existing vehicle access onto the public road, installation of a private treatment plant, extension to the residential curtilage together with soft and hard landscaping and is to be determined by the council as the vehicle access track from the public road is owned by the Isle of Anglesey County Council.

The main planning considerations are if the proposal complies with planning policies, SPGs and the siting, scale, design and appearance would have a negative impact on the site and the surrounding area.

### **(i) Planning Policy TAI 13**

#### **JLDP Policy TAI 13 states**

*Proposals for the replacement of a dwelling that meet the following criteria, where appropriate, will be granted:*

*1. Outside development boundaries or identified clusters, the present dwelling has a lawful residential use;*

There is no record that the existing dwelling has been abandoned at any point.

*2. The building is not listed;*

The building is not listed.

*3. The existing dwelling is of no particular architectural and/ or historic and/ or visual merit, for which it should be conserved;*

The existing dwelling is a two-storey detached house and has some character as a farmhouse dwelling with slate roofs, stone wall construction with rendered walls. The dwelling does not have any particular architectural merit but is located within close proximity to public rights of way footpaths that run through the site and can be seen from the A5114 road leading into Llangefni. In the context of the site this dwelling has a farmhouse character with surrounding fields and existing outbuildings on site.

*4. Outside development boundaries the existing dwelling is not capable of retention through renovation and extension and/ or it is demonstrated that the repair of the existing building is not economically feasible;*

The structural survey report provided with the application concluded that it would be more favourable to demolish and build a replacement dwelling. The cost comparison provided does state that refurbishment would cost a significant amount of money but when comparing the refurbishment costs and the costs of extensions and a replacement dwelling the refurbishment is much less. **The proposed dwellings scale and design is significantly more costly than the refurbishment and is contrary to criteria 4 of policy TAI13 and the council's SPG.**

*5. Outside development boundaries, the proposed dwelling is not a replacement for a caravan or holiday chalet that has a legal residential use;*

The proposed is a replacement dwelling not a replacement of a caravan or holiday chalet that has a legal residential use.

*6. Outside a Coastal Change Management Area, the siting of a replacement dwelling should be within the same footprint as the existing building unless it can be demonstrated that relocation within the curtilage lessen its visual and amenity impact in the locality;*

The proposed siting of the replacement dwelling is not located in the same footprint of the existing dwelling. The proposed dwelling is located to the South East of the existing dwelling with parking spaces assigned to where the existing dwellings footprint is. The applicant/agent has provided written confirmation and justification as to the need to move the proposed dwelling away from the existing dwellings footprint. **The proposed scale, design and appearance of the building in its proposed location would have not lesson its visual impact but have a negative impact on the visual appearance of the site from footpaths running through the site and from the A5114 road leading into Llangefni.**

*7. Outside development boundaries, the siting and design of the total new development should be of a similar scale and size and should not create a visual impact significantly greater than the existing dwelling in order that it can be satisfactorily absorbed or integrated into the landscape. In exceptional circumstances a larger well designed dwelling that does not lead to significant greater visual impact could be supported;*

The total floor area of the ground floor and approximate first floor levels of the existing dwelling is approximately 141.1 metres squared total. The proposed replacement dwelling's floor areas of the ground and first floor level are 557.2 metres squared in total. The percentage increase in floor area from the existing dwelling to the proposed dwelling is approximately 295%. The agent has provided examples of other dwellings that have had planning permission previously and the determining officer has assessed all of these referenced applications. These previous applications for replacement dwellings were larger in scale than the existing dwellings but each application and their sites are different and need to be considered individually rather than as precedents for all planning applications.

Justification letters and a Design and Access Statement have been provided to explain how the applicant and agent believe the proposed development would comply with JLDP Planning Policies and Supplementary Planning Guidance. The proposed scale of the development is much greater in footprint, greater overall floor area and greater in height than the existing dwelling. The proposed design of the dwelling is modern in its style with the walls being angled not perpendicular but at 45 degrees or less than 45 degrees. This design gives the dwelling a different characteristic for each part of the proposed dwelling. The proposed slate roofs have four pitched roof characteristics but with the different roof heights in different sections of the house the overall design is very uncharacteristic to the site and area. The material choices for the proposed dwelling are slate pitched roofs, dark metal profiled cladding on the walls first floor, rendered walls on the lower ground floor, one section of the dwelling have red brick walls and large glazing windows on the South East elevation. **The proposed material choices, the much greater scale of the dwelling, its siting on site together with its appearance do not prevent or lessoning its visual appearance on site and would have a negative impact on site and the surrounding area, contrary to criteria 7 of the policy TA113 and the council's SPG.**

*8. In areas at risk from flooding and outside a Coastal Change Management Area:*

*i. A flood consequence assessment has been undertaken for the development and satisfactory risk mitigation has been identified;*

*ii. The dwelling will incorporate flood mitigation and resiliency measures in accordance with Community and Local Government (CLG) publication 'Improving the flood performance of new buildings: flood resilient construction';*

*iii. The building must be appropriately designed to withstand and be resilient to hydrostatic pressure resulting from a breach/ overtopping of the tidal defences;*

*iv. A flood warning and evacuation plan has been prepared for the property and is to be displayed on site.*

The site is not within a flood risk zone.

*9. Exceptionally, when a recently inhabited or habitable dwelling is destroyed by accident, planning permission may be granted for a new dwelling, in situ. Evidence about the status and previous condition of the building and the cause and extent of the damage must be provided.*

The existing dwelling has not been destroyed.

**(ii) Planning Policies PCYFF 2, PCYFF 3 and PCYFF 4**

**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 complement or enhance the existing site and surrounding area.

**JLDP Policy PCYFF 4** states 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.

**As previously stated above the proposed replacement dwelling will be sited in a location which can be seen more from the public footpaths and roads together with its greater scale, modern design and material choices would harm the visual amenity of the site, would not enhance or complement the existing site or the surrounding area which is contrary to planning policy PCYFF 2 and PCYFF 3.**

The application has proposed to retain existing trees and hedges on site together with planting new hedges along the new residential curtilage. **The existing and new vegetation on site do not provide sufficient landscaping to improve or help integration of the replacement dwelling on site which is contrary to planning policy PCYFF 4.**

**(iii) Supplementary Planning Guidance – ‘Replacement dwellings and conversions in the countryside’ states:**

*The unit’s original floor area should be considered when considering if the development’s scale is similar to the original. Where justification has been received that would mean that the floor area would need to be larger than the original building, it is considered that this addition should be no larger than 20% of the floor area of the original unit. It is noted that this figure is a guide and not a target and every application will be assessed individually on its merit. It should be ensured that the addition in the floor area is essential in terms of practicality and should not be part of an aspiration for a larger house.*

The applicant and agent has provided justification statements on why they believe the proposed works comply with JLDP Planning Policies and the Supplementary Planning Guidance. The need of the applicants for a larger more accommodating dwelling that can accommodate their family has been considered as part of this determination. **Unfortunately, the proposed developments scale is approximately 295% more than the existing dwelling which is considered to be aspirational more than essential together with the design and appearance being out of character with the area and having a negative visual impact on site the proposed development is contrary to the council’s SPG.**

## **Conclusion**

The justification statements, design and access statements and cost comparisons appraisal do not justify the proposed development, together with the proposed developments siting, scale and design having a negative impact on the sites and surrounding area visual appearance the proposed development does not comply with the relevant planning policies and the councils supplementary planning guidance.

## **Recommendation**

The application is refused for the following reasons:

(01) The demolition of the existing dwelling together with the erection of a replacement dwelling is contrary Policies TAI 13, PCYFF2, PCYFF3 and PCYFF4 of the Anglesey and Gwynedd Joint Local Development Plan and the Supplementary Planning Guidance: Replacement Dwellings and Conversions in the Countryside (2019) and Planning Policy Wales (11<sup>th</sup> edition).

(02) The proposed replacement dwellings siting, scale, design and appearance would not enhance the character or appearance of the site or the surrounding area and would therefore be contrary to Policies TAI 13, PCYFF2, PCYFF3 and PCYFF4 of the Anglesey and Gwynedd Joint Local Development Plan and the Supplementary Planning Guidance: Replacement Dwellings and Conversions in the Countryside (2019) and Planning Policy Wales (11<sup>th</sup> edition).