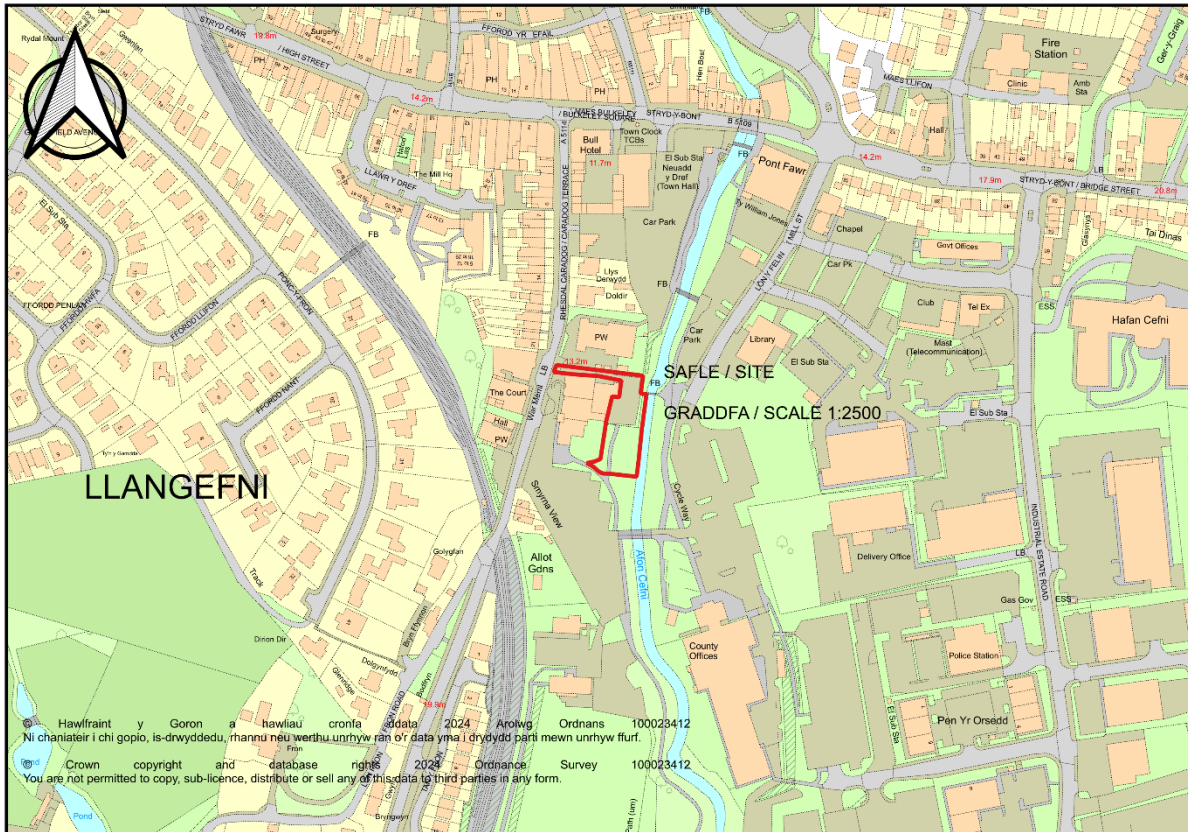


Application Reference: FPL/2023/181

Applicant: Mr Tristan Haynes

Description: Application for the erection of 6 residential units together with associated development at

Site Address: Shirehall, Glanhwfa Road, Llangefni.



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

Recommendation: Permit

Reason for Reporting to Committee

Both local members have called in the planning application to the Planning and Orders Committee due to local concern on over-development, the need for these units, lack of parking and access in and out of the site.

At the planning committee held on the 5th June, 2024 the members recommended a site visit takes place. On the 19th June a site visit took place. The members are now aware of the site and its settings.

Proposal and Site

This is a full planning application for the erection of 6 residential units on land to the South East of the existing Shire Hall building in Llangefni.

The existing vehicular access from Glanhwfa Road will be used for the development and there will be 15 parking spaces available for the development.

Key Issues

- Policy Considerations
- Design
- Listed Buildings/Conservation Area
- Flooding
- Drainage
- Biodiversity
- Welsh Language
- Impact on Adjacent Residential Properties

Policies

Joint Local Development Plan

Strategic Policy PS 1: Welsh Language and Culture

Policy ISA 3: Further and Higher Education Development

Strategic Policy PS 4: Sustainable Transport, Development and Accessibility

Policy TRA 2: Parking Standards

Policy TRA 4: Managing Transport Impacts

Strategic Policy PS 5: Sustainable Development

Policy PCYFF 1: Development Boundaries

Policy PCYFF 2: Development Criteria

Policy PCYFF 3: Design and Place Shaping

Policy PCYFF 4: Design and Landscaping

Strategic Policy PS 16: Housing Provision

Strategic Policy PS 17: Settlement Strategy

Policy TAI 1: Housing in Sub-Regional Centre & Urban Service Centres

Policy TAI 8: Appropriate Housing Mix

Strategic Policy PS 18: Affordable Housing

Policy TAI 15: Affordable Housing Threshold & Distribution

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

Policy AMG 3: Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character

Policy AMG 5: Local Biodiversity Conservation

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

Policy AT 1: Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens

Policy AT 4: Protection of Non-Designated Archaeological Sites and their Setting

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

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

Supplementary Planning Guidance - Maintaining and Creating Distinctive and Sustainable Communities - July 2019

Supplementary Planning Guidance - Affordable Housing (2004)

Planning Policy Wales (Edition 12, February 2024)

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

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Geraint ap Ifan Bebb	Call in requested due to local concern on overdevelopment, flooding, highways and impact on adjacent historical building.
Ymgynghoriadau Cynllunio YGC	The drainage section has confirmed that the proposal will require a SuDS application to deal with surface water.
Gwasanaeth Addysg / Education Service	No requirement to provide education contribution due to sufficient spaces available in schools in the catchment area.
Betsi Cadwaladr University Health Board	No response
Cyngor Tref Llangefni Town Council	<ul style="list-style-type: none"> • Concerns regarding the drainage system and surface water in the area, • Overhead power lines, • Flooding issues due to the location close to Afon Cefni. • Impact on the Grade II Listed Building and the harmful impact of the development on the character of the area and the town. • Is there a need for this development. • Mature trees and wildlife under threat • Rugby club located next to the car park and the development is not in the right location.
Cynghorydd Nicola Roberts	Call in requested due to local concern on overdevelopment, flooding, highways and impact on adjacent historical building.
Cynghorydd Geraint ap Ifan Bebb	Call in requested due to local concern on overdevelopment, flooding, highways and impact on adjacent historical building.
Ymgynghorydd Treftadaeth / Heritage Advisor	The Heritage Officer acknowledges that the scale, size and massing of the proposed development has been reduced. The Heritage Officer confirms that the proposal will not harm the setting of the adjacent Listed Building, character of the Conservation Area or views into and out of it.
Polisi Cynllunio / Planning Policy	General policy advice in relation to relevant policies of of the JLDP.

Priffyrdd a Trafnidiaeth / Highways and Transportation	The Highways Authority has confirmed that they are satisfied with the access and parking arrangements.
Swyddog Llwybrau Troed / Footpaths Officer	The drainage section has confirmed that the proposal will require a SuDS application to deal with surface water.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	The ecological advisor is satisfied with the ecological mitigation provided with this application.
Iechyd yr Amgylchedd / Environmental Health	General advice in relation to hours of construction, comments in relation to vibration and contaminated land.
Dwr Cymru Welsh Water	Conditional approval
GCAG / GAPS	Conditional approval recommended to ensure that appropriate archaeological mitigation is undertaken.
Cyfoeth Naturiol Cymru / Natural Resources Wales	NRW have confirmed that their original concerns have been addressed in relation to flood risk and a condition should be placed on the permission so as to comply with the Flood Consequence Assessment submitted with the application.
Cynhorydd Geraint Ap Ifan Bebb	Call in requested due to local concern on overdevelopment, flooding, highways and impact on adjacent historical building.
Cynghorydd Nicola Roberts	Call in requested due to local concern on overdevelopment, flooding, highways and impact on adjacent historical building.
T Dylan Edwards	Comments in relation to the need to obtain consent from IOACC to cross Council owned land.

The application was afforded the posting of personal notification letters to the occupiers of the neighbouring properties and an advert in the local press due to the site being in a Conservation Area. The latest date for the receipt of representations was the 16/05/2023. At the time of writing this report, no representations had been received.

Relevant Planning History

None.

Main Planning Considerations

Policy Considerations

In the JLDP Llangefni is identified as an Urban Service Centre under Policy TAI 1 (Housing in Local Service Centres). This policy supports housing to meet the Plan's strategy through housing allocations and suitable unallocated sites within the development boundary based upon the indicative provision shown within the Policy.

In accordance with Policy PCYFF 1 ('Development Boundaries'), proposals within development boundaries are approved if they comply with other policies and proposals in the Plan, National policies and other relevant planning considerations.

Housing Considerations

The indicative supply level for Llangefni over the Plan period is 673 units (including a 10% 'slippage allowance', which means that the method of calculating the figure has taken into account potential unforeseen circumstances which could influence the provision of housing, e.g. land ownership matters, infrastructure restrictions, etc.) (485 on allocated sites and 188 on windfall sites). During the period of 2011 to 2022, a total of 197 units have been completed in Llangefni (126 on allocated sites and 71 on windfall sites). The windfall land bank, i.e. sites with existing planning consent, and likely to be developed at April 2022 stood at 67 units). The allocated sites landbank stood at 235. In April 2022, there were 154 sites allocated for housing in Llangefni without planning permission. This means that the proposal would mean that the indicative housing provision in Llangefni would not be exceeded. In light of the above mentioned figures under criterion (1b) of Policy PS 1 there is no need for a Welsh language statement to support the application.

Policy TAI 8 'Appropriate Housing Mix' seeks to ensure that all new residential development contributes to improving the balance of housing and meets the identified needs of the whole community. Regard should be given to the LHMA, Council Housing Register, Tai Teg Register, 2014 - based household projections etc. to assess the suitability of the mix of housing in terms of both type and tenure proposed on development sites to redress an identified imbalance in a local housing market. For proposals of 5 or more residential units a housing statement to support the application should be submitted. A housing statement has been received with the planning application and the Housing Department have confirmed that there is a need for 3 bedroom properties in Llangefni.

Policy TAI 15 seeks an appropriate provision of affordable housing. It has a threshold figure of 2 or more units within Urban Service Centres such as Llangefni. Since the proposed development proposes an increase of 6 units, this meets with the threshold noted in Policy TAI 15 for making an affordable housing contribution. As Llangefni is situated within the 'Llangefni' housing price area in the Plan, it is noted that providing 10% of affordable housing is viable. As an increase of 6 units are proposed this means that 0.6 of the total new units should be affordable. The applicant has confirmed that the applicant will provide a financial contribution towards affordable housing. There will be a need to provide £49,999.99 financial contribution towards affordable housing. This will be subject of a legal S106 agreement.

Design

Policy PCYFF 3 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. Proposals, including extensions and alterations to existing buildings and structures will only be permitted provided they conform, where relevant to the policy criteria.

The proposed residential apartments comprises of a three-storey building with the roof space being used for residential purposes. The proposal includes 6no apartments across 3 floors and the attic space. The ground floor includes garden room/storage/WC. The first floor accommodates kitchen/dining/living area. The second floor accommodates 2 bedrooms and a bathroom and the attic space being used as third bedroom and en-suite.

The design of the building is of a contemporary style with the front and rear being a mixture of stone cladding/coloured render and grey aluminium windows and doors. The side elevations consist of a mixture of stonework, render and cladding and natural slate roof covering.

Each residential unit will be approx. 141 square metres floor area. This gives a total of 846 square metres total floor area for all 6 residential units. The height of the proposal will be slightly lower than the main Shire Hall building.

The application site is on the edge of the town centre and located within the development boundary of Llangefni. The proposal demonstrates high quality design which will fit in with the general form of development in the immediate area in accordance with Policy PCYFF3. Criterion (3) within Policy PCYFF 2 seeks to ensure that proposals make the most efficient use of land, including achieving densities of a minimum of 30 housing units per hectare for residential development. The site measures approximately 0.12 hectares, in accordance with the requirements of this policy the requirement would be a minimum of 3 residential units; however, the proposal would provide double the required housing units per hectare (6 number). Policy PCYFF2 states development should seek a minimum amount of housing per hectare and in some cases a higher density development is acceptable. Consideration has been given to the scale of the development and due to the location of the site within the development boundary of Llangefni, it is considered that a higher density development in this area is acceptable.

It is considered that the siting, appearance, scale, height, massing and elevation treatment complements the character and appearance of the area. It utilises materials appropriate to its surroundings and the existing mature trees on the IOACC boundary will screen the development from the East. The proposal therefore complies with Policy PCYFF3.

Listed Building/Conservation Area

Policies PS20: Preserving and where appropriate enhancing heritage assets and Policy AT1: Conservation Areas, World Heritage Sites and Registered Historic Landscapes, Parks and Gardens is relevant as all proposals will need to preserve and enhance heritage assets such as Listed Buildings and their curtilages and Conservation Areas.

The proposed site is located within the Llangefni Conservation Area and adjacent to the Grade II Listed Shire Hall and Grade II* listed Moriah Calvinistic Methodist Chapel including forecourt wall and gates. The Shire Hall in turn forms part of an excellent group of civic and religious buildings built at the turn of the century.

Amendments were made to the submission and the proposal has been reduced from 7 to 6 units and the height of the proposal has been reduced. This amendment ensures that the scale and massing will not have an adverse impact on the setting of the nearby Listed Buildings or on the Setting of the Conservation Area. The Heritage Officer has confirmed that the amended scheme will not harm the setting of the adjacent Listed Building, the character of the Conservation Area or views into and out of it.

Flooding

The site is abutting the Afon Cefni. The site is located close to Zone C2 of the Development Advice Map as referred to by the Technical Advice Note 15: Development and Flood Risk; however, the proposed building, the entry and exit routes to the building lies outside of the Zone C2 area. The Flood Map identifies that the margin of the site to be at risk of flooding and falls into Flood Zone 2 and 3 (Rivers) and the main source of flood risk to the site is from the Afon Cefni.

The tests of TAN 15:

Paragraph 6.2 of TAN 15 New development should be directed away from zone C and towards suitable land in zone A, otherwise to zone B, where river or coastal flooding will be less of an issue. In zone C the tests outlined in sections 6 and 7 will be applied, recognising, however, that highly vulnerable development and Emergency Services in zone C2 should not be permitted.

Highly vulnerable development is classed as being: all residential premises (including hotels and caravan parks), public buildings (e.g. schools, libraries, leisure centres), especially vulnerable industrial development (e.g. power stations, chemical plants, incinerators), and waste disposal sites.

This application is for the erection of 6 new residential units, therefore it is classed as highly vulnerable development. However, as stated above the new residential building is outside of the C2 flood zone and exit routes are also outside the C2 flood zone.

The ground floor level will be allocated for parking, garden room and storage while the first and second floor will be the living areas.

A Flood Consequence Assessment and three addendums has been received with the planning application. Natural Resources Wales initially had concerns relating to flood risk and the increased future flows due to climate change impacts over the lifetime of the development; however, following the third addendum to the FCA, NRW have confirmed that their previous concerns have been addressed.

NRW have confirmed that no structures/buildings should be erected within 4m of the retaining structure to ensure that the integrity of the retaining wall is not compromised. A riparian wildlife corridor should be provided between the Afon Cefni and the proposed apartment block, this will also ensure that NRW can inspect the river during times of flooding. A condition will be placed on the permission to ensure this is complied with. The apartment block is located approx. 5.6m.

away from the retaining wall of the Afon Cefni. The crest of the retaining wall is 8.92 AOD which is above the 1% AEP 2018 and the 1% AEP 2118. The third addendum to the FCA states that even under the most extreme conditions, the retaining wall will not be overtopped. The FFL of the ground floor of the apartment building will be 10.0 AOD, 1m above the crest of the wall and 1.5m above the 1% AEP 2118 level.

A Flood Risk Activity Permit will be required for any work or structure located under, over or within 8 metres of the Afon Cefni. The applicant will need to obtain this from NRW before work commences on the site.

The FCA confirms that the building is located outside the most extreme flood outline and access and egress to and from the building will remain flood-free under extreme conditions in accordance with the requirements of TAN 15.

Drainage

The development will be connected to the main foul drainage and surface water will be subject to a SuDS application with the outfall being discharged into the Afon Cefni.

Biodiversity

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.

The existing mature trees will be retained, and the proposal includes 4no Vivara Pro Build-in Woodstone Bat Tubes on the rear elevation facing Afon Cefni and Four no Swift Boxes to be located on the side elevation. There is limited opportunity to include landscaping on the site.

The proposal complies with Policy AMG5 and has followed the step-wise approach as required under PPW.

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 12) together with Technical Advice Note 20 and the Supplementary Planning Guidance: Maintaining Distinctive and Sustainable Communities.

Whilst the application does not trigger a requirement for a Welsh Language Statement, it does nevertheless need to show how consideration has been given to the language and sufficient information has been provided as part of the planning application to satisfy the requirements of the policy.

Sustainability

Strategic Policies PS4 and PS5 of the JLDP relate to sustainable development and transport and requires that development be located so as to minimise the need to travel and where it is demonstrated that they are consistent with the principles of sustainable development. These principles are also reiterated in Planning Policy Wales Edition 12 and Technical Advice Note 18: Transport.

The application site is located within the development boundary of Llangefni and is well located in terms of access to services, facilities and public transport and is therefore consistent with the principles of sustainable development.

Highways

The relevant highway policies of the JLDP are Policy TRA2: Parking Standards and TRA4: Managing Transport Impacts.

The existing vehicular access will be used as a main access, the intention is to provide one car parking space for each dwelling near the building and the existing Police station car park has car parking spaces available. The proposal will accommodate 15 number car parking spaces on site.

The Highway Authority has confirmed that the existing access and parking arrangements is suitable for the development. They have also confirmed that the Construction traffic Management Plan submitted with the application is acceptable.

Impact on adjacent residential properties

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. The proposal is located approx. 53m away from the nearest residential dwelling on Glanhwfa Road, between the proposed building and the nearby residential property is a large car park which is used by staff of the Isle of Anglesey County Council. Due to the distance and intervening use between the proposal and the nearest residential property it is not considered that the proposal will have a negative impact upon the amenities of adjacent residential properties.

Conclusion

The proposal complies with all policies listed in the main body of the report. All consultees are satisfied with the development subject to appropriately worded conditions. Amendments were made to the scale and massing of the proposed building and it is now considered that the design, scale and massing of the proposal will not harm nearby Listed Buildings or the Setting of the Conservation Area. The proposed building is located outside the most extreme flood outline and access and egress to and from the building will remain flood-free under extreme conditions in accordance with TAN 15. The Highways Authority is satisfied with access and parking arrangements and the proposal will not impact adjacent residential properties.

Permit subject to S106 agreement in relation to financial contribution towards affordable housing and the need to provide management and maintenance for the embankment wall between the proposed building and Afon Cefni.

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) (a) No development (including demolition, topsoil strip or other groundworks) shall take place until a specification for a programme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and all archaeological work completed in strict accordance with the approved details.

(b) A detailed report on the archaeological work, as required by (a), shall be submitted to and approved in writing by the Local Planning Authority within six months of the completion of the archaeological fieldwork.

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

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

(03) 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

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

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

(05) Only foul water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made at manhole reference number SH45759503, as indicated on the extract of the Sewerage Network Plan attached to this decision notice.

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

(06) No building/structure/fence or decking shall be erected within 4m of the edge of the retaining wall and the undeveloped strip of land between the proposed building and Afon Cefni, this area shall be maintained as a riparian wildlife corridor for the lifetime of the permission hereby approved.

Reason: To ensure that the integrity of the retaining wall is not compromised and to ensure that there is adequate space to inspect the river by NRW during times of flooding.

(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, E and F of Part 1 of Schedule 2 are hereby excluded.

Reason: In the interests of residential and visual amenity.

(08) The 4 no Vivara Pro Bat tubes and 4no Swift Boxes must be installed prior to the residential use of the building and shall be maintained for the lifetime of the permission hereby approved.

Reason: In the interest of biodiversity and to ensure the development complies with AMG5 and advice contained within Planning Policy Wales.

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

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

(10) Natural slates of uniform colour shall be used as the roofing material of the proposed dwellings.

Reason: To ensure that the development is in the interests of amenity.

(11) The development permitted by this consent shall be carried out strictly in accordance with the plans submitted under planning application reference FPL/2023/181.

- **Green Infrastructure Statement**
- **Flood Consequence Assessment -Phil Jones Consultancy January 2023**
- **Flood Consequence Assessment Second Addendum – Phil Jones Consultancy October 2023**
- **Flood Consequence Assessment Third Addendum – Phil Jones Consultancy December 2023**
- **Archaeological Desk Based Assessment**
- **Planning Statement**
- **Heritage Impact Assessment – June 2023**
- **Location Plan – 2992:22:1**
- **Proposed Site Plan – 2992:22:E**
- **Proposed Elevations – 2992:22:14**
- **Proposed Floorplans – 2992:22:11**

Reason: For the avoidance of doubt.

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, ISA3, PS4, TRA2, TRA4, PS5, PCYFF1, PCYFF2, PCYFF3, PCYFF4, PS16, PS17, TAI1, TAI8, PS18, TAI15, PS19, AMG3, AMG5, PS20, AT1, AT4

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

Application Reference: FPL/2023/118

Applicant: Mr Rupert & Mrs Bonnie Cunliffe

Description: Full application for the change of use of land for the siting 55 static holiday caravans/chalets, change of use of outbuilding into a laundry, reception and site office together with construction of new on site roads, erection of package treatment building, construction of car parking area together, soft and hard landscaping and associated development at

Site Address: Wern Farm, Pentraeth Road, Menai Bridge



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 and Orders Committee at the request of the Local Member.

At its meeting held on the 5th June, 2024 the Committee resolved to Refuse the application contrary to officer recommendation. The recorded reasons being as follows:

- Highway Safety
- Sustainability

In such circumstances paragraph 4.6.12.1 of the Council's Constitution requires that:
"Where the Committee are mindful to either approve or refuse a proposed development contrary to an Officer recommendation, the item shall be deferred until the following meeting so as to allow the officers to report further on the matter. The Committee must set out the reasons for wishing to decide against the officer recommendation. Committee members should adhere to these Rules when making planning decisions and take policy guidance from planning officers into due regard and only vote against their recommendations where genuine and material planning reasons can be identified. A detailed minute of the Committee's reason(s) shall be made and a copy placed on the application file. Where deciding the matter contrary to the recommendation may risk costs on appeal the Committee will take a recorded vote when deciding the application irrespective of the requirements of paragraph 4.1.18.5 of the Constitution."
Paragraph 4.6.12.2 requires that;
"The officer's further report shall detail the reasons put forward by the members, indicate whether such reasons are, in their view, genuine and material planning reasons and discuss the land use planning issues raised."

This report will therefore give consideration to these matters;

Highway Safety.

The Highways Authority has confirmed that they are satisfied with the access and visibility for the proposed development.

Cars travel on this road at 60mph. In accordance with Technical Advice Note 18: Transport. The access should achieve a visibility splay of 215m in both directions. The applicant has provided a plan which identifies a 215m visibility in both directions. The proposal therefore complies with the requirements set out in TAN 18.

The Highways Authority has also confirmed that there have been no accidents resulting from the existing access.

The Highways Authority has also confirmed that they are satisfied with the additional vehicular movements using the existing access, parking arrangements and the visibility splay.

As the proposal complies with the visibility guidance set out in TAN 18; the proposal complies with Policy TRA2, TRA4 and TAN 18.

Sustainability

Members questioned how this site was sustainable and stated that a similar planning application was refused in Caergeiliog which was similar to this planning application.

The proposed site is approximately 0.51km away from the nearest bus stop that links to Menai Bridge which is an excellent public transport hub. A public right of way (PROW) crosses through the Wern Farm site and links the site to Llandegfan and Menai Bridge. The site is located approximately 3.4km from Menai Bridge Town which has a range of facilities such as shops, restaurants, grocery stores etc.

Whilst it is accepted that the A5025 is a busy road with no formal footways or lighting with cars travelling at 50mph, the PROW which leads through the site alleviates the need for people to walk on this road only for a short distance (310km) to walk to Menai Bridge. A bus stop is also located within 0.51km of the site which links to a very sustainable transport hub in Menai Bridge.

The proposed development is considered to be in a highly accessible and sustainable location which would provide all the necessary needs of visitors as well as close to key transport routes. Visitors would have a choice of travel modes whilst staying at the site.

In relation to the planning application that was refused at Caergeiliog. This is very different to the proposed development at Wern Farm. The Planning Inspector confirmed that there was limited range of shops, services and tourist attractions within easy walking and cycling distance of the site. The inspector also confirmed that due to the distance of the site away from attractions it was unlikely that people staying at the site would use their bikes as it would take approx. 60 minutes to access attractions.

Wern farm is located in a very sustainable location with a bus stop located 0.51km away. The PROW which leads through the site alleviates the need for people to walk on this road only for a short distance (310km) to walk to Menai Bridge where there would be a wide range of shops, pubs, restaurants and visitor attractions. Menai Bridge is an excellent transport hub which connects to Bangor and the rest of the Island.

Wern Farm is considered to be highly sustainable with a choice of travel modes for the people visiting the chalets. The proposal therefore complies with Strategic Policies PS4, PS5 and advice contained within PPW and TAN18

Conclusion

The application site is located in the open countryside. The site is considered to be in a sustainable location and a public footpath crosses the site, linking the site to Llandegfan and Menai Bridge. A sustainable transport network is located nearby which gives access to Menai Bridge where there are a variety of shops, restaurants and visitor attractions. The development would be situated on low-lying land, surrounded by trees and hedgerows and a significant landscaping and woodland planting scheme is part of the application which would enhance biodiversity and hide the development even better from the public footpath. The Highways Department has confirmed that the proposal is acceptable with appropriate conditions. In summary, the proposal for 55 fixed cabins/holiday cabins and associated development works at this site is in line with relevant policies and, having taken into account the relevant considerations described in this report, the proposal is acceptable.

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 holiday units/chalets hereby approved shall be occupied as holiday accommodation only and shall not be occupied as a person's sole or main place of residence. An up to date register shall be kept at the holiday accommodation hereby permitted and be made available for inspection by the local planning authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their date of arrival and departure from the accommodation.

Reason: To define the scope of this permission.

(03) Prior to the commencement of work on site, a detailed landscaping plan of the landscaped areas as shown on drawing number 000-RYD-XX-XX-DR-L-002 Rev F including a detailed landscaping plan for the existing woodland area shall be submitted to and approved in writing by the Local Planning Authority. Details shall include species, spacing, location and quantity of the proposed trees. The approved landscaping scheme shall be carried out 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) Ivy removal on the stone outbuilding shall be carried out between October and February inclusive.

Reason: To avoid potential disturbance to nesting birds

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

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

(06) Six Schwegler 2F bat boxes and six Eco Kent bat boxes shall be installed between 2-4m above the ground on the North or North-East of mature trees surrounding the site and Bat boxes shall be installed at least 3m above ground level on the South or South West of mature trees surrounding the site. Eight Schwegler 1B bird boxes shall be installed on the woodland edge trees facing the site. Two Vivara Pro Seville nest boxes and one Schwegler bird box shall be installed on the North Elevation of the outbuilding, one Solitary bee house shall be installed on the South Elevation of the outbuilding, three Schwegler bird boxes shall be installed on the East Elevation of the outbuilding and three midi bat box installed on the West Elevation of the outbuilding. All ecological mitigation shall be installed prior to the occupation of the holiday chalets. Photographic evidence of all ecological mitigation shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the holiday chalets.

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

(07) A Meadow Grass Management Plan for ground preparation, sowing and maintenance for the first 5 years relating to the establishment of the meadow grass as shown on the Landscape Masterplan drawing number 000-RYD-XX-XX-DR-L-002 Rev F shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any of the holiday chalets on the site. The Meadow Management Plan shall be carried out as approved and maintained for the lifetime of the permission hereby approved.

Reason: In the interest of ecology

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

Reason: In accordance with PCYFF 4.

(09) Prior to the commencement of the development hereby approved (including all preparatory work), an updated scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan (TPP) and an arboricultural impact assessment (AIA) based on Tree Survey Schedule submitted with planning application FPL/2023/118 shall be submitted to and approved in writing by the Local Planning Authority. All works must proceed in accordance with the approved details.

Reason: To protect the existing trees on the site.

(10) Notwithstanding the submitted Lighting Plans, the lighting output of the external lights shall not exceed 3000k.

Reason: To protect biodiversity and to ensure that the dark skies are not affected by the proposal.

(11) The development shall take place in accordance with the recommendations contained within the Ecological Assessment dated December 2021 by Clwydian Ecology, the Ecological Addendum dated August 2022 by Clwydian Ecology and Ecological Second Addendum dated September 2023 by Clwydiad Ecology submitted under planning application reference FPL/2023/118.

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

(12) 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

(13) The access shall be constructed with 2.4 metre by 215 meter splay. Within the vision splay lines nothing exceeding 1 metre in height above the level of the adjoining carriageway shall be permitted at any time.

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

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

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

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

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

(16) No surface water from the development shall discharge onto the public highway.

Reason To minimise danger and inconvenience to highway users.

(17) The existing access shall be widened to 5.5m in accordance with the information submitted with the planning application. The proposed works to the access shall be completed prior to the use of the development hereby approved.

Reason: In the interest of road safety and minimise danger to highway users.

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

Reason: To ensure the proposal complies with Policy PS1

(19) No development shall commence on site until details of the colour and finish of the proposed units have been submitted to and approved in writing by the local planning authority. The

development shall be carried out in accordance with the approved details and the colour scheme agreed shall be retained for the lifetime of the development.

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

(20) Prior to the first use of the development hereby approved, full details of the electric charging points and solar panels shall be submitted to and approved in writing by the Local Planning Authority. Details shall include charging units/connection points, location of the charging points and full specification of the solar panels together with a timetable for its implementation. The development shall be then proceed in accordance with the approved details and shall be retained for the lifetime of the development.

Reason: To ensure that the development provides environmental benefits in accordance with Policy TWR3 and Strategic Policy PS5 and PS6 of the Joint Local Development Plan.

(21) The outbuilding subject to this application as denoted 'D' on drawing number 000-RYD-XX-XX-DR-L-002 Rev F shall be used as a reception/office/utility building associated with the holiday park only and shall not be used for any other purpose.

Reason: For the avoidance of doubt.

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

- Landscape Master Plan – 000-RYD-XX-XX-DR-L-002 Rev F
- Location Plan/Site Boundary – 000-RYD-XX-XX-DR-L-003 Rev C
- Outbuilding Elevations – 2402-A3-04
- Outbuilding Floorplans – 2402-A3-05
- Lighting Plan – 69660.01 Rev 01
- Preliminary Drainage Strategy – ECL.9290.D05.001 Rev D
- Topographic Drawing – 001 Rev A
- Preliminary Tree Constraints Plan Sheet 1 – 23/EIA/Anglesey/44 01
- Preliminary Tree Constraints Plan Sheet 2 - 23/EIA/Anglesey/44 01
- Topographic + Line of Sight – 001 Rev A
- Topographic + Line of Sight South – 001 Rev A
- Natural Play Area – 000-RYD-XX-XX-DR-L-004 Rev A
- Archaeological Evaluation – I.P.Brooks
- Water Conservation Statement – Egniol dated 18.07.2022
- Carbon and Energy Assessment – Egniol dated May 2022
- Agricultural Land Classification – Mr J D C Finch dated November 2021
- TamLite Lighting Schedule
- TamLite Lighting Luminaire Data
- Geophysical Survey – 360 Archaeology dated October 2022
- Ecological Assessment – Clwydian Ecology dated December 2021
- Ecological Addendum – Clwydian Ecology dated August 2022
- Ecological Second Addendum – Clwydian Ecology dated September 2023
- Landscape and Visual Appraisal – Rydal Landscape Consultants dated March 2022
- Business Plan – Styger Consulting Ltd dated 28th February 2022
- Structural Survey – CPD Services dated 15th August 2023
- Arboricultural Impact Assessment Sheet 1– 23/EIE/Anglesey/44 02
- Arboricultural Impact Assessment Sheet 2– 23/EIE/Anglesey/44 02
- Tree Survey Schedule – Tree Solutions – dated 7th August, 2023
- Welsh Language Statement – February 2024
- Design and Access Statement dated 8th February 2024

- **Statement of Revision dated 8th February 2024**
- **Green Infrastructure Statement dated 4th March, 2024**

Reason: For the avoidance of doubt

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, PS5, PS6, PS13, PS14, PCYFF1, PCYFF2, PCYFF3, PCYFF4, PCYFF5, PCYFF6, CYF6, TWR2, TWR3, TWR4, AMG3, AMG5, AT4, TRA1, TRA2, TRA4

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/2023/328

Applicant: Baby Bird Development Ltd

Description: Full application for the conversion of the chapel into 3 holiday units together with alterations and extensions at

Site Address: Capel Jerusalem, Llangoed



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 and Orders Committee at the request of the Local Member.

At its meeting held on the 5th June, 2024 the Committee resolved to Refuse the application contrary to officer recommendation. The recorded reasons being as follows:

- Lack of Parking Spaces/Highway Safety
- Overprovision of Holiday Accommodation in the area.

In such circumstances paragraph 4.6.12.1 of the Council's Constitution requires that:

"Where the Committee are mindful to either approve or refuse a proposed development contrary to an Officer recommendation, the item shall be deferred until the following meeting so as to allow the officers to report further on the matter. The Committee must set out the reasons for wishing to decide against the officer recommendation. Committee members should adhere to these Rules when making planning decisions and take policy guidance from planning officers into due regard and only vote against their recommendations where genuine and material planning reasons can be identified. A detailed minute of the Committee's reason(s) shall be made and a copy placed on the application file. Where deciding the matter contrary to the recommendation may risk costs on appeal the Committee will take a recorded vote when deciding the application irrespective of the requirements of paragraph 4.1.18.5 of the Constitution." Paragraph 4.6.12.2 requires that;

"The officer's further report shall detail the reasons put forward by the members, indicate whether such reasons are, in their view, genuine and material planning reasons and discuss the land use planning issues raised."

This report will therefore give consideration to these matters;

Lack of Parking Spaces/Highway Safety.

Members expressed concern during the site visit no parking spaces were available in the locality.

The Highways Authority has considered the proposal and the supporting Technical Highway Notes submitted with the planning application.

The technical notes (M22026-01 and M22026-02) identified parking availability in the vicinity of the development and primarily suggested that an area marked as 'Zone A' would be suitable. It also identified an area opposite the development predominantly serving the short stay parking needs of the village shop (marked as Zone C). Assessments undertaken by the applicant indicate existing minimal use of Zone A for parking and observations by the Highway Authority concur with this. On the basis that the original application has been reduced from four units holiday to three the Highway Authority acknowledges that parking associated by the proposal can be accommodated in the area identified as Zone A.

The local highway authority accepts that parking associated by the development can be accommodated with the area identified as Zone A as shown in the technical note.

It is also noted that the Highways Officer carried out a site visit on three separate occasions after the Planning Committee Site Visits took place. The Highways Officer confirmed that there were sufficient parking in Zone A on these three separate occasions.

The proposal complies with Policy TRA2, TRA4 and TAN 18.

Overprovision of Holiday Accommodation in the area.

Members were concerned that there was already an over-provision of holiday accommodation in the area. There is a 15.36% of holiday units in the area at present; however, the members confirmed that this figure did not take into account the Air B and B's in the area. A quick search from one of the members at the committee would bring the total of holiday accommodation in the area to well beyond 25%.

The Local Planning Authority are given data from the Council Tax Section; however, Air B and B's are not considered in this figure. The LPA have based their decision on the data provided by the Council Tax Section.

There is an increased pressure of holiday homes and second homes on Anglesey; however, since the previous application was refused on over-provision of holiday homes the applicant has reduced the

number of holiday units to 3, further consideration has been given to the fact that Llangoed is only marginally over the 15% threshold and the fact that the existing building is being brought back into use is also a material consideration. The Local Planning Authority has also lost numerous appeals where the 15% has been exceeded and the conclusions of these appeals must be considered. The former chapel has been empty for some time and if no use is made of the building it will become derelict and an eyesore in the community. Consideration has been given to whether the 3 holiday units would impact the quality of life and well-being in the area; however, as the number has now been reduced to 3 holiday units it is considered that the amount of holiday units within this building is acceptable. It is also necessary to consider the lawful use of the building which is a D1 use. The building could be used as a community hall, crèche etc which would have the potential to have a greater impact on traffic and parking greater than the 3 holiday units.

Conclusion

The Highways Department is satisfied with the information that has been submitted and has confirmed that there is sufficient parking available in the area. The Local Planning Authority has considered whether the 3 holiday units would have an impact on quality of life and well-being in the area; However, as the number has been reduced to 3 holiday units, the number of holiday units within this building is acceptable. The proposal complies with policies outlined in the report.

Recommendation

That the application is permitted subject to the following conditions:

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

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

(02) 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, E and F of Part 1 of Schedule 2 are hereby excluded.

Reason: In the interests of residential and visual amenity.

(03) The holiday units shall be occupied for holiday purposes only; the holiday units shall not be occupied as a person's sole, or main place of residence; the owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of the holiday units, and their main home addresses, and shall make this information available at all reasonable times to the local planning authority.

Reason: To define the scope of this permission and ensure that inappropriate uses do not take place in the locality.

(04) The development shall take place in accordance with Section 6 Mitigation contained within the Bat Emergence and Nesting Bird Survey Version 1.0 by Greenman Ecology dated 14th June 2022 submitted under application reference FPL/2023/328.

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

(05) 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

(06) The development hereby approved shall not commence until a photographic survey of the buildings has been undertaken in accordance with the Gwynedd Archaeological Planning Service Requirements for General Photographic Surveys of Buildings, and the survey submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that an adequate record is made of all structures affected by the proposals and that the record is held within the public domain for future reference and research.

(07) No surface water from any increase in the roof area of the building/or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

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

(08) The three Schwegler bird box on the North elevation, three Type 1FF Schwegler Bat Box on the South elevation as well as a Schwegler Swift Cup on the West elevation shall be installed a minimum of 3 weeks prior to any works commencing on the site in accordance with drawing numbers 2474-A3-05 and 2474-A3-06 and maintained for the lifetime of the permission hereby approved.

Reason: In the interest of biodiversity and to ensure the development complies with AMG5 and advice contained within Planning Policy Wales.

(09) The external lighting scheme shall be in accordance with details on drawing number 2474-A3-06 and 2474-A3-05. All external lighting shall not exceed 2700K.

Reason: To ensure that the development does not produce light spill and to ensure that the lighting scheme does not affect the nature boxes.

(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;

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

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

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

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

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

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

(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.

- **Location Plan – 2474-A3-01**
- **Proposed Elevations 1 of 2 – 2474-A3-05**
- **Proposed Elevations 2 of 2– 2474-A3-06**
- **Proposed Ground Floor Plan – 2474-A3-07**
- **Proposed First Floor Plan – 2474-A3-08**
- **Technical Note M22026 dated March 2024**
- **Technical Note M22026 dated January 2024**
- **Technical Note dated September 2022**
- **Green Infrastructure Statement – Cambrian Planning dated February 2024**
- **Bat Emergence and Nesting Bird Survey V1.0– Greenman Ecology dated 14 June 2022**

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

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF1, PCYFF2, PCYFF3, PS13, PS14, TWR2, PS19, AMG5, CYF6, PS4, TRA2,TRA4, PS5, PS1

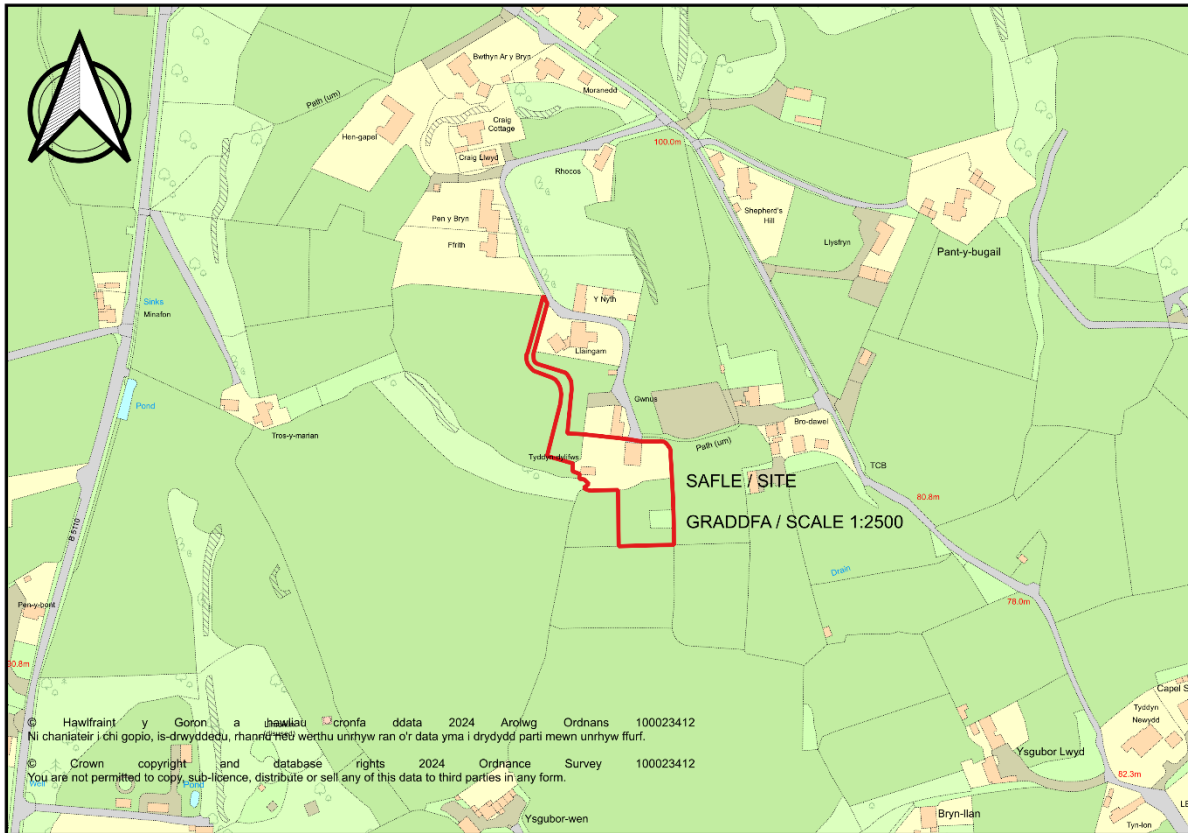
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2024/64

Applicant: Mr and Mrs Mark and Sacha Tarry

Description: Full application for the demolition of the existing dwelling together with the erection of a replacement dwelling and retention of new vehicular access, track and parking areas at Tyddyn Dylifws, Tyn y Gongl

Site Address: Tyddyn Dylifws, Tyn y Gongl



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

Recommendation: Permit

Reason for Reporting to Committee

The application has been presented to the Planning Committee for consideration at the request of the Local Member. The Local Member has expressed concern on the impact of the proposal upon neighbouring residential properties, visual impact and the scale of the replacement dwelling.

At the planning committee held on the 5th June, 2024 the members recommended a site visit takes place. On the 19th June a site visit took place. The members are now aware of the site and its settings.

Proposal and Site

The application is for the demolition of the existing dwelling together with the erection of a replacement dwelling and retention of new vehicular access.

Key Issues

- Policy Considerations
- Design
- Ecological/Green Infrastructure and Landscape
- Highways
- Drainage
- Impact on adjacent residential properties

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 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
Policy TRA 4: Managing Transport Impacts
Policy TAI 13: Replacement Dwellings
Policy AMG 5: Local Biodiversity Conservation

Planning Policy Wales (Edition 12, February 2024)

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)

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Euryr Morris	No response.
Cynghorydd Margaret Murley Roberts	No response.
Cynghorydd Ieuan Williams	Call in requested due to new access road and the impact upon the neighbouring properties and visual impact due to scale of replacement dwelling.
Cyngor Cymuned Llanfair Mathafarn Eithaf Community Council	No response.
Draenio / Drainage	Standard comments in relation to need to apply for SuDS.

Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Conditional Approval recommended.
Polisi Cynllunio / Planning Policy	Standard Policy Comments.
Y Dreth Gyngor / Council Tax	No response.
Priffyrdd a Trafnidiaeth / Highways and Transportation	The Highways Authority has confirmed that they have no objection to the planning application.
Iechyd yr Amgylchedd / Environmental Health	Standard comments in relation to construction hours, contaminated land and vibration comments.
Dwr Cymru/Welsh Water	No objection.
Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service	No response.
Cyfoeth Naturiol Cymru / Natural Resources Wales	Standard Advice.

The application was afforded the the posting of personal notification letters to the occupiers of the neighbouring properties. The latest date for the receipt of representations was the 23/4/2024. At the time of writing this report, 2 letters of support and 2 objection letters had been received and the main points are summarised below:

Supporting letters:-

- Support local businesses is very important as they employ local people and the applicant confirms he wishes to employ local people in the future
- Demolition of existing dwelling would improve the visual appearance of the area
- The replacement dwelling would be more energy sufficient

Objection letters:-

- Highway Safety and road not adequate
- Impact on ecology and landscape
- Rock excavation work and impact on neighbours
- Access and track not received planning permission
- Development will impact amenities of adjacent residential properties
- Inaccuracies with land ownership on plan
- Landscaping not within red line

In response to the objections:-

- The Highways Authority has confirmed that the access and parking arrangements are acceptable
- The applicant has provided a protected species survey and a Green Infrastructure Statement which outlines the biodiversity enhancements that will be carried out. The ecological advisor of the council and NRW are satisfied with this information.
- The applicant has confirmed that no further rock excavation will be required on site.
- The access and track is a retrospective element of this planning application
- There will be some disruption whilst work is ongoing; however, this is the case will all developments on the Island. Once the work has been completed, there will be no impact upon the amenities of adjacent residential properties
- The LPA has requested confirmation from the applicants on the land ownership plan and they have confirmed that the land ownership and plans are accurate
- The landscaping information is on the blue line plan, this does not need to be within the land edged in red on the location plan.

Relevant Planning History

FPL/2023/84 - Full application for the demolition of the existing dwelling together with the erection of a replacement dwelling and retention of new vehicular access and hardstanding at Refused 15/1/24

Main Planning Considerations

Proposal and site history

This is a full planning application for the demolition of the existing dwelling together with the erection of a replacement dwelling and retention of new vehicular access at Tyddyn Dylifws, Tynyngongl.

Since the previous planning application was refused, the applicant has produced an up to date structural survey of the dwelling which identifies that significant work needs to be done to the existing property. The case officer has also visited the property and inspected the internal condition of the dwelling.

Policy Consideration

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;
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
6. 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/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.

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.

The above policy is supported by Supplementary Planning Guidance (SPG): Replacement Dwellings and Conversions in the Countryside which was adopted on the 6th 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 meets 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/adaptation 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 in need of extensive upgrading. The underside of the walls has little or no cover from external ground level and the depth far shallower than what is expected. The lack of cover to the underside of the walls could lead to movement of the walls by washing out of fines from the strata. Extensive ground water runoff is present due to the existing sloping drive to the right hand side elevation. The structural survey confirms that underpinning stone masonry walls is inherently hazardous and should be avoided due to the unpredictable nature of the masonry. The internal floors would need to be replaced and there is insufficient headroom in the front rooms to raise slab levels within the property. Lowering a new slab would require underpinning of the walls which should be avoided. Other major defects have been identified and are all listed in paragraph 5.0.3 of the structural survey.

The structural engineer has confirmed that cost of renovation of the existing dwelling is unlikely to be economically viable and recommend demolition of the existing dwelling and replacing with a new energy efficient dwelling. It is clear that the works necessary to bring to the property to an acceptable standard are significant, 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.

Criteria 6 – The dwelling will be on the same footprint as the original dwelling.

The replacement dwelling will be on the footprint of the original dwelling and therefore complies with criteria 6.

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.

Whilst the proposal would lead to a dwelling some 129% larger than the dwelling that currently exists, it is of a high quality design and use of high quality materials such as stone cladding, wooden panels and Natural Welsh slate which along with appropriate landscaping would represent an improvement to the design of the existing dwelling and will fit in well with the landscape. The replacement dwelling would make use of the levels of the land in order to reduce the visual impact of the proposal. The existing dwelling has a two storey flat roof extension to the rear that does not fit in with the general form of development in the area and this proposal even though it is 129% larger than the existing dwelling would not create a visual impact significantly greater than the existing dwelling. Due to the topography of the land, the replacement dwelling will integrate into the landscape.

Criterion 8 and 9 of the policy relates to flood risk. The application site is not within a C2 Flood area.

Design

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.

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 principle gateways into Gwynedd or into Anglesey, its effects on townscape and the local historic and cultural heritage and it takes into 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.

The existing property is a two storey detached property with a pitch roof. To the rear of the property an unsightly two storey flat roof extension has been erected. This flat roof extension does not fit in with the general form of development in the area. The existing property has been rendered and painted white. The existing property measures 11.7m in length x 9m wide and is 6.14m high. The floor area of the existing dwelling across both floors measures approximately 212.72 square metres.

The replacement dwelling is a two storey, pitched roof property with the attick space being used for living accommodation. A glass link will lead to a single storey pitched roof kitchen area to the rear of the property. The replacement dwelling will measure approx. 17m in length x 9.2m wide and 9.1m high. The floor area of the proposed replacement dwelling across all floors measures approximately 488.05 square metres. A comparison drawing submitted with the planning application indicates that the replacement dwelling will be 2m higher than the adjoining property known as 'Gwnus'. The replacement dwelling although broadly on the same footprint as the existing, is of a larger scale and different design. The replacement dwelling is of an exceptional design, criteria 7 of Policy TA13 states that in exceptional circumstances a larger well-designed dwelling that does not lead to a significantly greater visual impact could be supported. The proposal despite being larger is a high-quality design that due to its exceptional form, appearance and use of materials, and its location relative to other development and local topography, would not lead to a significantly greater visual impact and would be satisfactorily absorbed into the locality; its scale and size would therefore be appropriate for the area.

The SPG states that replacement dwellings should not exceed 20% increase in scale; however, this figure is a guide and not a target and every application is to be assessed on its own merits. The SPG also states in its flow chart for consideration of replacement dwellings that if the scale of the building is larger than the original but would not have a significantly greater visual impact then the proposal would conform with the principles contained within Policy TA13. The SPG is clearly a material planning consideration;

however, it is not a Policy. For the reasons set out above, the Local Planning Authority is satisfied that the proposal complies with criteria 7 of Policy TWR13 and Policy PCYFF3.

The access and track that was created by the applicant has been completed without the benefit of planning permission and this element of the proposal is retrospective. The new access and track was created due to the existing narrow track leading down to Tyddyn Dylifws. The applicant has explained that it was very challenging to get deliveries to Tyddyn Dylifws and this is why the new access and track was constructed. The new access and track has improved accessibility to the property and large vehicles can enter the property with no manoeuvrability issues. The new vehicular access provides adequate visibility in both directions and the track leads to the rear of Tyddyn Dylifws where adequate car parking facility has been created. The access and track can only be seen for a short distance and does not impact on the landscape. The access and track is located close to another residential property but it is not considered that this access or track will generate significant vehicular movements that would warrant refusing the planning application. Vehicular movements will be similar to the movements of the existing property. The closest neighbour adjoining the access has a high hedge and fence surrounding the rear of the garden area which screens the access and track from view.

Policy PCYFF 4 of the JLDP relates to Design and Landscaping and states 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.

The proposal does include landscaping as part of the proposal, this will be considered in the landscape section. It is considered that the proposal complies with the requirements of policy PCYFF4 of the Joint Local Development Plan.

Ecology/Green Infrastructure and Landscaping

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 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.

An ecological survey has been submitted with the planning application, the survey identified a small number of pipistrelle bats used the site for foraging and commuting but did not find any bats to be present in the existing dwelling. The reasonable avoidance measures outlined in the ecological report will need to be adhered to and conditioned accordingly. Natural Resources Wales and the Ecological Advisor is satisfied with the ecological appraisal.

The landscaping scheme involves a new hedgerow with Oak trees on the South boundary of the adjoining field, a meadow will be planted in the field and a new pond will be created to the south of the proposed replacement dwelling. Surface water from the new dwelling will drain into this pond as will clean water from the newly installed domestic sewage treatment works. The pond has been designed to create a habitat suitable for amphibians and insects and a new pond with reed beds and other aquatic marginal plants. A new hedgerow is to be planted to the west of the track leading to the site

Bird and bat boxes will be installed on existing trees surrounding the site and two swift boxes will be installed on the North or East of the replacement dwelling. A condition will be placed on the permission to ensure that full details of their location are agreed and that they must be installed prior to the occupation of the dwelling.

The proposal will lead to a substantial increase in biodiversity enhancement on the site and will comply with Policy AMG5 and the latest advice in Planning Policy Wales.

Highways

Strategic Policies PS4 and PS5 of the JLDP relate to sustainable development and transport and requires that development be located so as to minimise the need to travel and where it is demonstrated that they are consistent with the principles of sustainable development. These principles are also reiterated in Planning Policy Wales Edition 12 and Technical Advice Note 18: Transport. Policy TRA2 ensures that development is in accordance to the Councils Parking Standards.

The highways department has been consulted on the proposal and have raised no objection to the proposal. As stated above the new access and track has been constructed prior to obtaining planning consent, and this element of the application is retrospective. The new access provides adequate visibility and provides sufficient parking and manoeuvring within the site.

Drainage

The existing sewage treatment plant will be used for the replacement dwelling.

Impact on adjacent residential properties

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.

The applicant owns the adjoining property known as 'Gwnus' which is the immediate neighbour. Two residential properties are located to the East of the site; however, these properties are located between 70-90m away from the existing dwelling. There are residential properties near the access and track which has been constructed known as 'Y Nyth', 'Llaingam' and 'Ffridd'.

The application site is located on an elevated piece of land which is higher than the residential properties to the East; however, due to the intervening uses, the topography of the land and fields that separate the application site and the nearby residential properties it is not considered that the proposal will cause any impact greater than the existing dwellinghouse.

The access and track is located close to residential properties, the closest property known as 'Llaingam' but it is not considered that this access or track will generate significant vehicular movements that would warrant refusing the planning application. Vehicular movements will be similar to the movements of the existing property. The neighbouring residential property has a high hedge and fence surrounding the rear of the garden area which screens the access and track from view.

It is considered that the development complies with Policy PCYFF2 and will not have a negative impact upon the amenities of adjacent residential properties.

Conclusion

It is considered that the proposal complies with the JLDP policies as listed in the main body of the report. It is clear that the works necessary to bring to the property to an acceptable standard are significant, 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. The design of the property is high quality and would not lead to a significantly greater impact on the landscape. The applicant has provided an excellent scheme to enhance biodiversity on the site in accordance with the latest guidance in PPW. The Highways Authority are satisfied with the newly

formed access and track and it is not considered that the proposal will have a negative impact upon the amenities of adjacent residential properties.

Recommendation

That the application is permitted subject to the following conditions:

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

Reason: To comply with the requirements of the Town and Country Planning Act 1990.

(02) 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, E and F of Part 1 of Schedule 2 are hereby excluded.

Reason: In the interests of visual amenity.

(03) The development shall take place in accordance with Section 9.0 Reasonable Avoidance Measures contained within the Protected Species Survey Version 0.1 dated 24th May and 15th June 2023 by Bev Plummer Ecology submitted under application reference FPL/2024/64.

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

(04) 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

(05) Natural slates of uniform colour shall be used as the roofing material of the proposed dwellings.

Reason: To ensure that the development is in the interests of amenity.

(06) Full details of external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The development shall be carried out in accordance with the approved scheme and retained for the lifetime of the development hereby approved.

Reason: In the interests of the amenity of the locality and in the interest of biodiversity.

(07) In accordance with the Green Infrastructure Statement submitted with planning application FPL/2024/64, the location of the bat and bird boxes to be installed on mature trees surrounding the site and full details of the two swift boxes to be located on the North or East of the dwelling shall be submitted to and approved in writing by the Local Planning Authority before the use of the dwelling commences. The bat and bird boxes shall then be installed prior to the use of the dwelling and maintained for the lifetime of the development hereby approved.

Reason: To ensure the development provides biodiversity enhancements in accordance with Policy AMG5 and Chapter 6 of Planning Policy Wales.

(08) The site shall be landscaped strictly in accordance with the submitted information in the first planting season after completion or first use of the development, whichever is the sooner. The landscaping scheme shall be retained and managed 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 the commencement of work on site full details of the materials including colour to be used in the construction of the external surfaces of the dwelling shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance of the development.

(10) The development permitted by this consent shall be carried out strictly in accordance with the plans submitted under planning application reference FPL/2024/64.

- **Location Plan**
- **Pond Cross Section**
- **Proposed Site Layout – A.02 Rev A**
- **Proposed Plans and Elevations – A.01.02**
- **Street Scape Comparison – A.02.03**
- **Biodiversity Improvement Plan**
- **Green Infrastructure Statement (Revised) April 2024**
- **Structural Inspection – Egniol 9976-ECL-XX-ZZ-RP-S-0001 Rev 01 February 2024**
- **Protected Species Survey Version 0.1 – Bev Plummer Ecology dated June 2023**

Reason: For the avoidance of doubt.

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, PS19, PS5, PCYFF4, PCYFF3, PCYFF1, PCYFF2, TRA2, TRA4, TAI13, AMG5

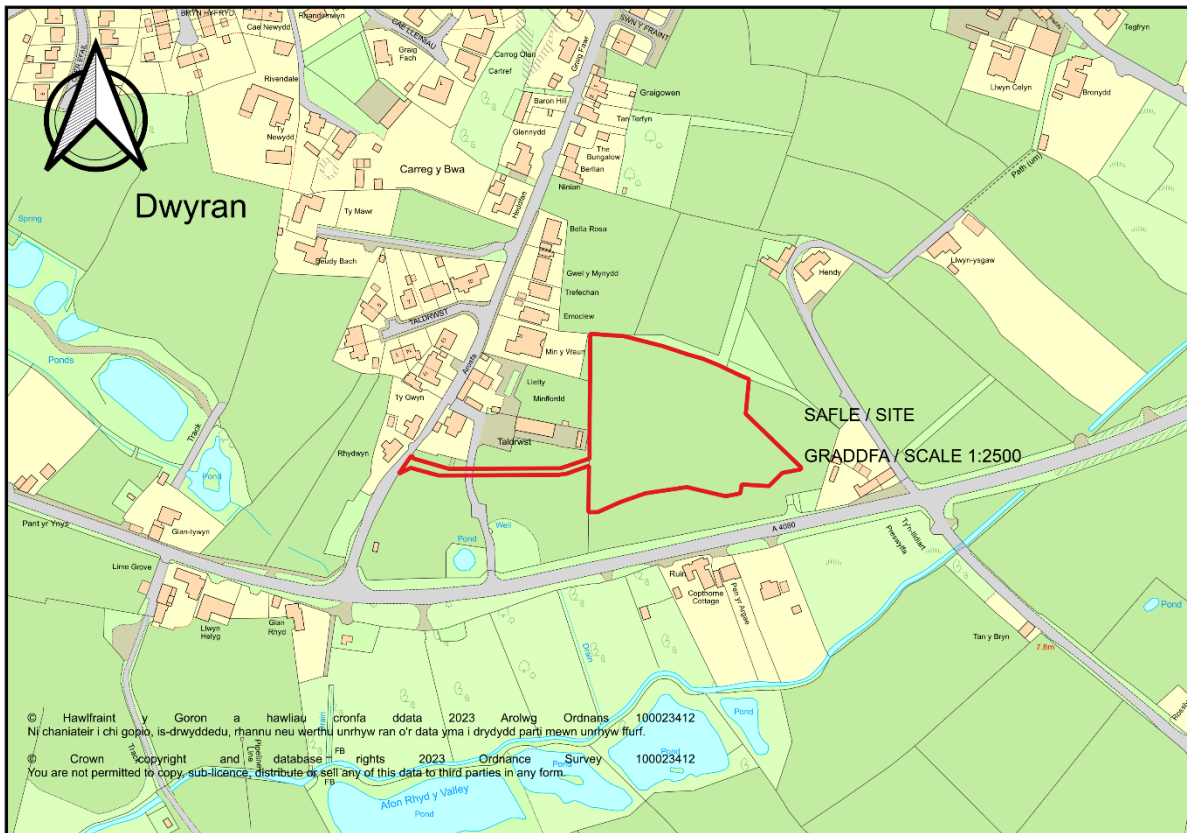
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2023/61

Applicant: Mr G Williams

Description: Full application for the change of use of agricultural land into holiday lodge site, siting 13 holiday lodges, construction of new road on site, alterations to existing vehicular access together with soft and hard landscaping on land at

Site Address: Taldrwst, Lon Fain, Dwyran



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

Recommendation: Permit

Reason for Reporting to Committee

The application is presented to the planning committee at the request of local member Arfon Wyn. At the committee meeting held on the 1st of November 2023, the members voted to conduct a physical site visit. The site visit took place on the 15th of November 2023 and therefore the members will now be familiar with the site and its surroundings.

At the committee meeting held on the 6th December, 2023, members resolved to refuse the application contrary to officer recommendation. The given reason was as following;

- **Insufficient drainage information provided to allow members to make a decision.**

This matter was addressed by the developer and the additional drainage information was presented to the planning committee at the meeting held on the 5th of June 2024. At this meeting, members resolved to refuse the application for further reasons as noted below;

- Scheme will cause nuisance to neighbouring properties and thus is contrary to PCYFF 2.
- Site will not be obscured by hedge for 12 months of the year and therefore will be contrary to PCYFF 3 and PCYFF 4
- Lon Fain has insufficient visibility onto the A4080.
- Access is sub-standard and Lon Fain is too narrow.

In such circumstances paragraph 4.6.12.1 of the Council's Constitution requires that:

"Where the Committee are mindful to either approve or refuse a proposed development contrary to an Officer recommendation, the item shall be deferred until the following meeting so as to allow the officers to report further on the matter. The Committee must set out the reasons for wishing to decide against the officer recommendation. Committee members should adhere to these Rules when making planning decisions and take policy guidance from planning officers into due regard and only vote against their recommendations where genuine and material planning reasons can be identified. A detailed minute of the Committee's reason(s) shall be made and a copy placed on the application file. Where deciding the matter contrary to the recommendation may risk costs on appeal the Committee will take a recorded vote when deciding the application irrespective of the requirements of paragraph 4.1.18.5 of the Constitution."

Paragraph 4.6.12.2 requires that;

"The officer's further report shall detail the reasons put forward by the members, indicate whether such reasons are, in their view, genuine and material planning reasons and discuss the land use planning issues raised."

This report will therefore give consideration to these matters.

Prior to addressing the additional reasons for refusal, the LPA would like to make the members aware of the very real risk and likelihood of costs at appeal should they continue with the intention to refuse the proposal. The applicant has been made, at the request of the members, to provide information which is non-material and outside of the remit of the planning process and in the process elapsed nearly 6 months of time in dealing with the application. Following the information being provided, members brought forward additional reasons for refusal. It is understood there was some confusion regarding the reasons for refusal which were put forward at the December 2023 committee, however it must be noted that members were provided with 5 cooldown reports which clearly noted that there was only a single reason for refusal on the grounds of a lack of surface water drainage information. In the 5 committee meetings where the application was deferred, this single reason for refusal was not disputed by any member. Due to the above, the LPA have concerns that such actions could be viewed as 'unreasonable behaviour' by a Planning Inspector and could be grounds for awarding costs.

Nuisance to Neighbouring Properties

As mentioned in the original committee report, impact upon residential amenity via means such as nuisance is considered under policy PCYFF 2, which states proposals will be refused where they would have an unacceptable negative impact. The proposed scheme is well screened from the neighbouring properties and as such it is not considered there are any ill effects arising from overlooking. The departments principle concerns in this respect are noise and disturbance through the proximity of 13 holiday units to the residential property to the west. Having visited the site, the department are satisfied there is sufficient distance from the neighbouring property to the units to prevent noise and disturbance being an issue to an extent that would warrant refusal. From the proposed site plan, it is noted there would be 13m to the nearest chalet, with this distance also intervened by a substantial hedge which would also offer acoustic buffering to some degree. It is further noted that the site does not include any specific outdoor amenity area (benches, fire pits, decking etc) and as such would not encourage

significant use of the external areas. Further to this, it must be considered that the neighbouring property is already in close proximity to the existing Taldrwst complex which includes several letting units, B&B rooms along with a bar. Subsequently, the department do not consider that the level of disturbance arising from the scheme would cause such drastic deviation from any existing arrangements that would warrant refusal on this basis alone. The department would also draw attention to the proximity of the site to the busy A4080 along with the settlement of Dwyran, which have their own background levels of disturbance/noise. Overall, it is not considered that there are grounds to refuse on the basis of impact upon residential amenity. The scheme is made for self catering holiday units, which when considered purely as a land use, is not inherently more impactful on residential amenity than residential development. It is noted that the application site is located on the fringes of the settlement and near the busy A4080 and as such the LPA do not consider that the scheme would give rise to such nuisance through noise that would justify refusal.

Visibility of Site due to Non-evergreen Roadside Hedge.

The local member claims the proposal does not effectively conform with policies PCYFF 3 and PCYFF 4 by virtue of the hedge along the A4080 not being evergreen and thus the site will not be obscured for 12 months of the year. The LPA accepts that naturally the screening will be less effective during the winter months due to leaf loss, however during the summer months, the roadside hedge forms an excellent visual barrier from the A4080. Since the adoption of the JLDP in 2017, no distinction has been made between year round and seasonal screening due to hedging type (evergreen/deciduous) by either the LPA or the planning committee. As such, it is considered unreasonable and unfair that such principles are now applied to this application. Notwithstanding the seasonal screening, the site is located on the edge of the village and as such would not be seen as development which encroaches into the open countryside in a visual sense and subsequently the department consider the scheme could be absorbed into the landscape in a manner which does not cause visual harm to an extent that would warrant refusal.

Highways Matters

As noted above, 2 reasons of refusal were given in relation to highways matters, the first of which relating to the junction of Lon Fain onto the A4080 and the second regarding the capacity of Lon Fain to accommodate additional traffic due to its insufficient width. The LPA would like to draw the members attention to the fact that no such concerns were received by the highways department who had no objection to the scheme and were satisfied with the new access and capacity of Lon Fain. Without substantial evidence for demonstrating why the members chose to disagree with the professional opinion of the highways officers, there is a substantial risk of costs at appeal. The LPA retain their shared position with the Highways Authority in that the scheme is acceptable when considering its highways based merits.

Conclusion

The scheme in its original form raised several concerns with both the Planning Authority and specialist consultees, with particular concern drawn to highways and flooding matters. The scheme has since been altered in line with the specialist consultees comments, which subsequently overcame concerns in relation to the previously mentioned highways and flooding issues. In addition to this, the scheme was considered against the relevant policies of Joint Local Development Plan, where it was found that no policies were contravened. On planning balance, the scheme was found to be acceptable subject to the imposition of conditions. No sufficiently material reasons for refusal were encountered as part of the determination process and as a result it is the departments stance that the scheme should be recommended for approval. The LPA do not consider that any of the reasons put forward by the committee are sufficiently robust or material in nature that would stand up at appeal and consider there to be a substantial risk of costs due to the reasons mentioned above.

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 / 3001:22:1b
- Proposed Site Plan / 3001:22:3j
- Proposed Drainage Layout / 005 P03
- Basin Construction Details / 017 P01
- Landscape General Arrangement Plan / 326-LST-XX-XX-DR-L-0102 S4 P05
- Landscape General Arrangement Wider Plan / 326-LST-XX-XX-DR-L-0101 S4 P05
- Proposed Access Plan / 3001:22:8b
- Proposed Two Bed Lodge / 3001:22:4a
- Drainage Strategy / Mon Civils Limited / January 2024 Revision P02

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

(03) 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.

(04) No development shall commence until a foul water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. The scheme shall provide for the disposal of foul water flows and thereafter implemented in accordance with the approved details prior to the occupation of the development.

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 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.

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

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

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

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

(08) No surface water from within the development shall discharge onto the highway.

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

(09) The site shall be landscaped strictly in accordance with the Landscape General Arrangement Plan [326-LST-XX-XX-DR-L-0102 S4 P05] and the Landscape General Arrangement Wider Plan [326-LST-XX-XX-DR-L-0101 S4 P05] 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.

(10) Only foul water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made at manhole reference SH4658301 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.

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

(11) No development, including site clearance, shall commence until a site-wide Species Conservation Plan has been submitted to and approved in writing by the Local Planning Authority. The Conservation Plan should include:

- Build upon the principles outlined in the Ecological Assessment report by Clwydian Ecology, 22nd February 2023
- A plan showing areas to be retained which should identify the extent and location on appropriate scale
- Details of the siting and type of external lighting to be used
- Drawings setting out light spillage in key sensitive areas (boundary features/trees)
- Details of protective measures to be taken to minimise the impacts
- Details of timing, phasing and duration of construction activities and conservation measures
- Timetable for implementation demonstrating that works are aligned with the proposed phasing of the development
- Details of initial aftercare and long-term maintenance
- Actions to be taken in event previously unidentified species features are found
- Ecological Compliance Audit, including key performance indicators
- Persons responsible for implementing the works
- Details of measures to prevent or reduce incidental capture or killing

The Species Conservation Plan shall be carried out in accordance with the approved details.

Reason: To ensure that an approved Species Conservation Plan is implemented, which protects species affected by the development.

(12) (a) No development (including topsoil strip or other groundworks) shall take place until a specification for a programme of archaeological work has been submitted to and approved in

writing by the Local Planning Authority. The development shall be carried out and all archaeological work completed in strict accordance with the approved details.

(b) A detailed report on the archaeological work, as required by condition (a), shall be submitted to and approved in writing by the Local Planning Authority within six months of the completion of the archaeological fieldwork.

Reasons: (1) To ensure the implementation of an appropriate programme of archaeological mitigation in accordance with the requirements of Planning Policy Wales 2018 and TAN24: The Historic Environment.

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

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, TWR 3, AMG 1, AMG 5, TRA 4, PS 19.

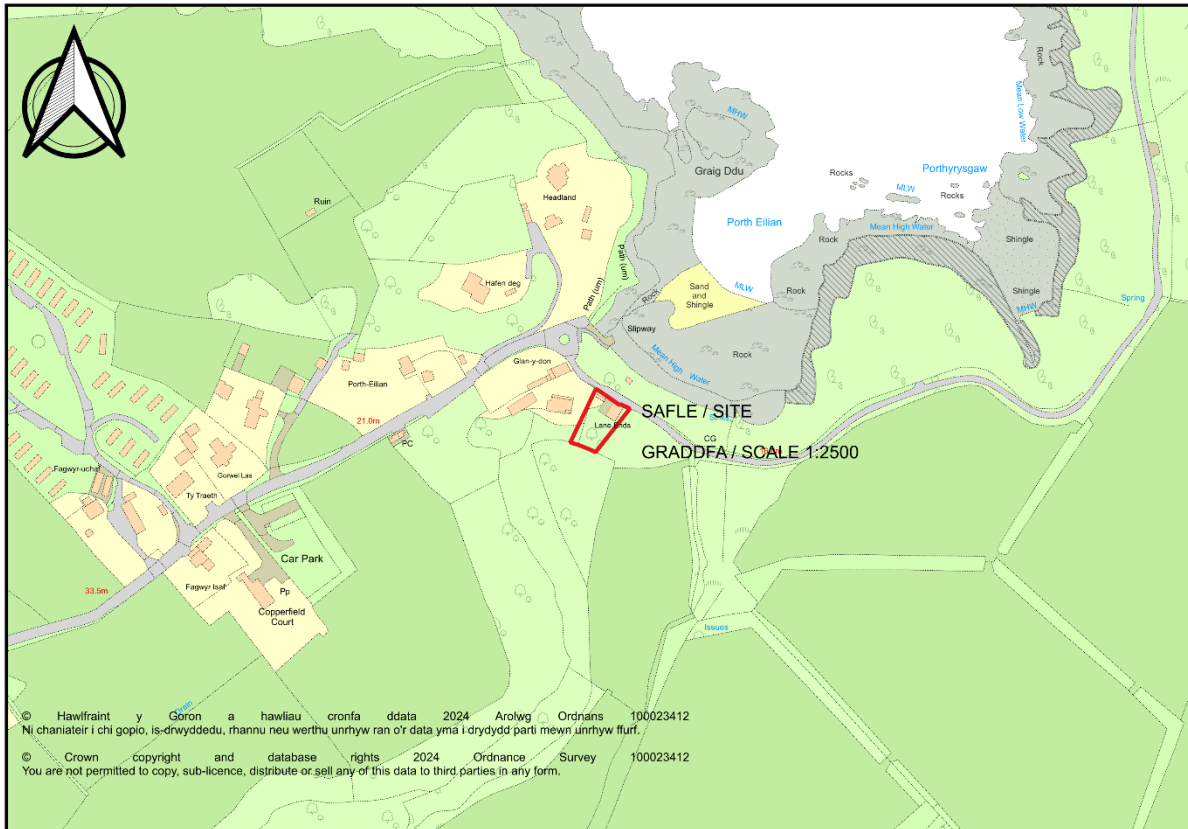
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2023/339

Applicant: Mr N Roscoe

Description: Full application to change the design of the building together with a retrospective application for the installation of a package treatment plant at the boat store adjacent to

Site Address: Lane Ends, Llanelian



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

Recommendation: Permit

Reason for Reporting to Committee

The application has been called into the Planning and Orders Committee at the request of Councillors Aled Morris Jones and Liz Wood due to concerns of over development and local concern surrounding the application.

At the planning committee held on the 5th of June 2024, Members resolved to defer the application until they had received a copy of the previous appeal decision on the site. A copy of the appeal decision has been circulated and the members should now be aware of its contents.

Proposal and Site

The application site is a two-storey detached building, located on a parcel of land to the west of the dwelling known as Lane Ends, at the edge of the settlement in Llanelian. The site is outside any development boundary or cluster as defined by the Joint Local Development Plan (JLDP), is within the Isle of Anglesey Area of Outstanding Natural Beauty (AONB) and is in close proximity to the Wales Coastal Path.

The proposed scheme is a full application to change the design of the building together with a retrospective application for the installation of a package treatment plant. The application has been submitted following an enforcement investigation.

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 PCYFF 2: Development Criteria

Policy PCYFF 3: Design and Place Shaping

Policy PCYFF 4: Design and Landscaping

Policy TRA 2: Parking Standards

Policy TRA 4: Managing Transport Impacts

Isle of Anglesey AONB Management Plan 2023-2028

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

Planning Policy Wales – Edition 12 (2024)

Technical Advice Note 12: Design (2016)

Response to Consultation and Publicity

Consultee	Response
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	The site is within the AONB and is near a few other designated sites. The tree proposed for removal needs to be replaced by three native trees and bird boxes should be placed on the building as biodiversity enhancement. Provided advice regarding planting and external lighting. Further information requested on the treatment plant discharge and no further comments to make once the information was received.
Cynghorydd Derek Owen	No response received.
Cynghorydd Aled Morris Jones	Called the application into the committee due to concerns of over development.

Cynghorydd Liz Wood	Called the application into the committee on behalf of the community council.
Cyngor Cymuned Llanellian Community Council	<p>Several points were raised regarding the application during the first consultation period. Outlined the planning history of the site and that significant changes were made to the original design during construction which were not agreed by the LPA. It was noted that the attempt to regularise the changes were refused by the LPA and the subsequent appeal refused by PEDW. The Community Council have no objection to the proposed workshop door, but the loss of internal void space at first floor level and reduction in height of the main aperture would restrict the future use of the building for its intended purpose as a boathouse. Some confusion about the capacity of the package treatment plant and requested clarification on whether it had a 4-person or 6-person capacity. It is reasonable to incorporate a WC area and treatment plant into the boathouse, but a smaller treatment plant would be appropriate for the development. The Juliet balcony on the rear elevation is an inappropriate visual feature which would be replaced by a window. Access drawings do not correspond to the access on site and a planting scheme will be required. Submitted plans do not include any details of a ramp to enable access to the boat store, with a substantial difference between road level and building level.</p> <p>The second response from the Community Council raised many of the same points as the initial response, but continued to state that the documents submitted are insufficient. Sought reassurance that the sewage treatment plant and outfall pipework conforms to building regulations, is appropriate for a non-domestic building and that appropriate permissions have been granted to allow the maintenance of the outfall pipe. Support the changes to the access provided that the visibility splays are acceptable to the highways department. Concern that the new stone clad wall to block the existing access is unlikely to integrate well in the AONB. Sectional drawings would allow the Community Council to assess the access aspect of this application. Conditions required to restrict the use of the building and to provide a timeframe for the carrying out of the works.</p> <p>During the final consultation period the Community Council questioned whether the red numbers on the site plan were site levels, using the boat store as a datum point. Stated that insufficient information has been submitted to persuade the</p>

	Community Council that the building can be used as a boat store. Object to the site levels due to the 150mm step between the site and the boat store, which should be reduced in order to function as a boat store.
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objection to the proposed development. Provided advice on the AONB and nearby protected sites. The proposal is unlikely to have significant effects on the SAC or SPA due to its scale and nature.
Swyddog Llwybrau Troed / Footpaths Officer	No comments.
Prifffyrdd a Trafnidiaeth / Highways and Transportation	Satisfied with the proposal which will not impact the highway network and provided highways informatives.

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 22/03/2024. At the time of writing this report, no letters of representation had been received at the department.

Following the receipt of additional information, the application was advertised another two times through the distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of representations were the 15/03/2024 and the 23/04/2024, with no comments received upon the completion of all three consultation periods.

Relevant Planning History

24C352 - Full application for change of use of the paddock to residential land, the erection of a new garage/boat store together with alterations to the vehicular access at Lane Ends, Llanelian. Approved 25/02/2019.

DIS/2019/99 - Application to discharge condition (03) (External materials) (04) (Means of enclosure) (05) (Tree felling, lopping, topping) (06) (Landscaping scheme) (10) (Drainage scheme) of planning permission 24C352 at Lane Ends, Llanelian. Condition Partially Discharged 05/11/2019.

MAO/2021/29 - Minor amendments to scheme previously approved under planning permission 24C352 (Full application for change of use of the paddock to residential land, the erection of a new garage/boat store together with alterations to the vehicular access) so as to amend boat store design at Lane Ends, Llanelian. Withdrawn 15/12/2021.

VAR/2021/91 - Application under Section 73A for the variation of condition (02) (Approved Plans) and (10) (Drainage Scheme) of planning permission reference 24C352 (Full application for change of use of the paddock to residential land, the erection of a new garage/boat store together with alterations to the vehicular access) so as to allow revised drawings to be included in condition wording at Lane Ends, Llanelian, Amlwch. Refused 03/08/2022. Appeal dismissed.

SCR/2021/94 - Screening opinion for VAR/2021/91: Application under Section 73 for the variation of condition (02) (Approved Plans) and (10) (Drainage Scheme) of planning permission reference 24C352 (Full application for change of use of the paddock to residential land, the erection of a new garage/boat store together with alterations to the vehicular access) so as to allow revised drawings to be included in condition wording at Lane Ends, Llanelian, Amlwch. No EIA Required 06/01/2022.

Main Planning Considerations

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.

Proposal and Site

The application site is a two-storey detached building, located on a parcel of land to the west of the dwelling known as Lane Ends, at the edge of the settlement in Llanelian. The site is outside any development boundary or cluster as defined by the Joint Local Development Plan (JLDP), is within the Isle of Anglesey Area of Outstanding Natural Beauty (AONB) and is in close proximity to the Wales Coastal Path.

The proposed scheme is a full application to change the design of the building together with a retrospective application for the installation of a package treatment plant. The application has been submitted following an enforcement investigation.

The applications' main issues are:

- i. Site History
- ii. Siting and Design
- iii. Impact on Adjacent Residential Properties
- iv. AONB and Ecology
- v. Highways and Access

i. Site History

Application reference 24C352 was approved in February 2019 for the erection of a new garage/boat store. This building was not built according to the approved plans, with bi-folds and a window installed instead of the two garage doors on the front elevation. A Juliet balcony was placed on the side elevation rather than the steps and door, a treatment plant was installed together with an internal WC, and the storage area extends along the whole first floor level, rather than a void above the boat store.

The site was subject to an enforcement investigation in 2021 due to the lack of compliance with the approved plans. Application VAR/2021/91 was submitted in an attempt to regularise these changes, but it was refused in August 2022 as the changes to the design were more akin of a dwelling rather than the approved boat store. This decision was appealed, with the appeal dismissed by PEDW in September 2023.

ii. Siting and Design

The original approval was a two-storey boat house, with storage above the workshop and a void above the boat store. It measured 11m by 6m, with a pitched roof at 6m in height and its eaves at 3.5m. The approved design had two garage doors and a pedestrian door on the front elevation, a window on the first-floor side facing the coast, a pedestrian door and steps on the other side at first floor level, together with two roof lights each side of the roof.

The building has been built on the same footprint and height, however changes were made to the approved design without permission, as mentioned in the previous section. This application seeks to change the design of the building, making it more akin of its intended use as a boat store. The current unregularized bifold will be replaced by a garage door leading to the boat store, the window will be replaced by a garage door for the workshop, whilst the current anthracite grey pedestrian door will be retained. This will lead to the front elevation of the building resembling a boat store, which is a very similar design to that previously approved in 2019. It is considered to comply with policy PCYFF 3 as it will complement and enhance the character and appearance of the site.

The only other external change is the Juliet balcony instead of the door and stairs. As this is on the south side elevation and is not visible from public viewpoints, it is considered a small-scale alteration which will have no impact on the design of the building. The building will be finished with a combination of ivory coloured render and timber cladding, a tiled roof and UPVC windows. It is considered a high-quality design, in accordance with policy PCYFF 3, which takes into account its natural environmental context, utilising materials appropriate to its surroundings. This is considered a suitable design for its intended use, with only small changes compared to the previous approval. Condition (02) will ensure that all building works are completed with a 24-month timeframe.

The internal changes to include a WC are considered reasonable due to the distance and seasonal nature of the closest public toilets. The other internal change is the storage area across the whole first floor level, as opposed to the previously approved void above the boat store. The sectional drawings highlight around 5m from floor to ceiling internally, with 2.25m on the ground floor and 2.4m on the first floor. It is considered that the internal headspace at ground floor level is suitable for the intended use of the building as a boat store, providing sufficient headspace. The LPA cannot be sceptical on the type of boat that will be stored in the building, with condition (06) restricting its use as a boat store, with any alternative use constituting a breach of planning control.

iii. Impact on Adjacent Residential Properties

The application site is located in an open countryside location near the coast in Llanelian, with neighbouring properties sparsely located in the surrounding landscape. The boat store is around 18m to the east of the nearest neighbouring property Lane Ends and is over 30m away from Glan y Don and Cuddfan. Due to the distance between the boat store and its neighbouring properties and the small-scale degree of change compared to the previously approved scheme, making the appearance more akin of a boat store, it is not considered to negatively impact the privacy and amenities of any neighbouring properties, complying with policy PCYFF 2.

iv. Ecology and AONB

The updated advice in Chapter 6 of Planning Policy Wales (PPW) is to apply a stepwise 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.

Three types of bird boxes will be placed on the building, with condition (04) ensuring that they are placed on the building before it is first brought into use as a boat store. One external light will be placed on the front elevation of the building, complying with dark sky requirements, ensuring that no light pollution will be generated from the development. One tree and a 3m section of hedgerow to the north of the site will be removed, with three new fruit trees planted in their place. This will provide overall biodiversity enhancements as part of the development, in accordance with policy AMG 5 and the Environment Wales Act (2016) and will ensure compliance with the changes to Chapter 6 of Planning Policy Wales. A 6-person treatment plant has been installed, which will discharge into the existing watercourse to the west. This is considered justified to support the WC, as was outlined by the inspector in the appeal decision, due to the distance and seasonal nature of the closest public toilets. The correct notices have been served on the landowners to the west and no objections have been raised by Natural Resources Wales or the Council Ecologist.

The site is within the Isle of Anglesey AONB where the aim is to conserve and enhance the special qualities and features that give the area its natural beauty, in line with policy AMG 1 and the AONB Management Plan. Due to the small-scale nature of development, to return the design of the building to its previously approved manner as a boat store, which utilises appropriate finish materials, it is not considered to negatively impact the designated landscape.

v. Highways and Access

Amendments are proposed to the site access as part of this application. The existing access will be closed off by a new boundary stone clad wall, with a new access to be opened around 3.6m to the west, which will require the removal of a section of existing wall and hedgerow. The Highways department have no objections to this minor change, which will not have an impact on the local highway network, complying with the transport policies of the JLDP.

This new access will allow improved access to the site and the new car parking area. Three car parking spaces will be provided to the northwest of the site, around 8m in front of the building. The area in front of the building will be finished with a porous paver system with sand and soil infill, raising the level of the site to provide access to the building. The site levels on the proposed site plan show a 150mm step from the finish floor level of the building to the site adjacent, with the site sloping gradually in all directions further away from the building. The 150mm step is not considered to impact the use of the building, with the applicant proposing to use a temporary ramp for access. Due to the infrequent use of the building, this is considered appropriate and will allow the building to be used for its intended use as a boat store.

Conclusion

The application proposes design changes to the building to enable its intended use as a boat store. The changes in design are considered modest and are similar to the previously approved scheme from 2019. It is considered a high-quality design, that will integrate into the surrounding area, utilising materials appropriate to its sensitive coastal location. The application is not considered to impact any neighbouring properties and will provide overall biodiversity enhancement. The new access is acceptable to the highways department, and it is considered that raising the levels of the site will provide adequate access to the boat store considering its infrequent use. The proposal is therefore considered to comply with all relevant local and national planning policies.

Recommendation

That the application is permitted subject to the following conditions:

(01) 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:

- **2706:23:1 - Location plan**
- **2706:23:3d - Proposed site plan**
- **2706:23:4b - Proposed floor plans, elevations & section**
- **2706:23 - Green infrastructure statement**
-

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

(02) Within 24 months of the date of this permission all building works shown on the proposed floor plans, elevations & section, drawing number 2706:23:4b, shall be completed and thereafter shall be retained as such for the lifetime of the development hereby approved.

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

(03) Before the building is first brought into use as a boat store all works to the access and parking area shown on the proposed site plan, drawing number 2706:23:3d, shall be completed and thereafter shall be retained as such for the lifetime of the development hereby approved.

Reason: In the interest of highway safety in accordance with Policy TRA 4 of the Anglesey and Gwynedd Joint Local Development Plan.

(04) Before the building is first brought into use as a boat store the three bird boxes shown on the proposed elevations, drawing number 2706:23:4b, shall be installed on the building and thereafter shall be retained as such for the lifetime of the development hereby approved.

Reason: To help conserve and safeguard biodiversity.

(05) All planting and landscaping noted in the proposed site plan, drawing number 2706:23:3d, 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.

(06) The development hereby permitted shall only be used as a private boat store/workshop/storage and for no commercial or business use and shall not be used as sleeping accommodation at any time.

Reason: To ensure that inappropriate uses do not take place in the locality.

(07) No surface water from within the development shall discharge onto the highway.

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

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, PCYFF 2, PCYFF 3, PCYFF 4, TRA 2, TRA 4

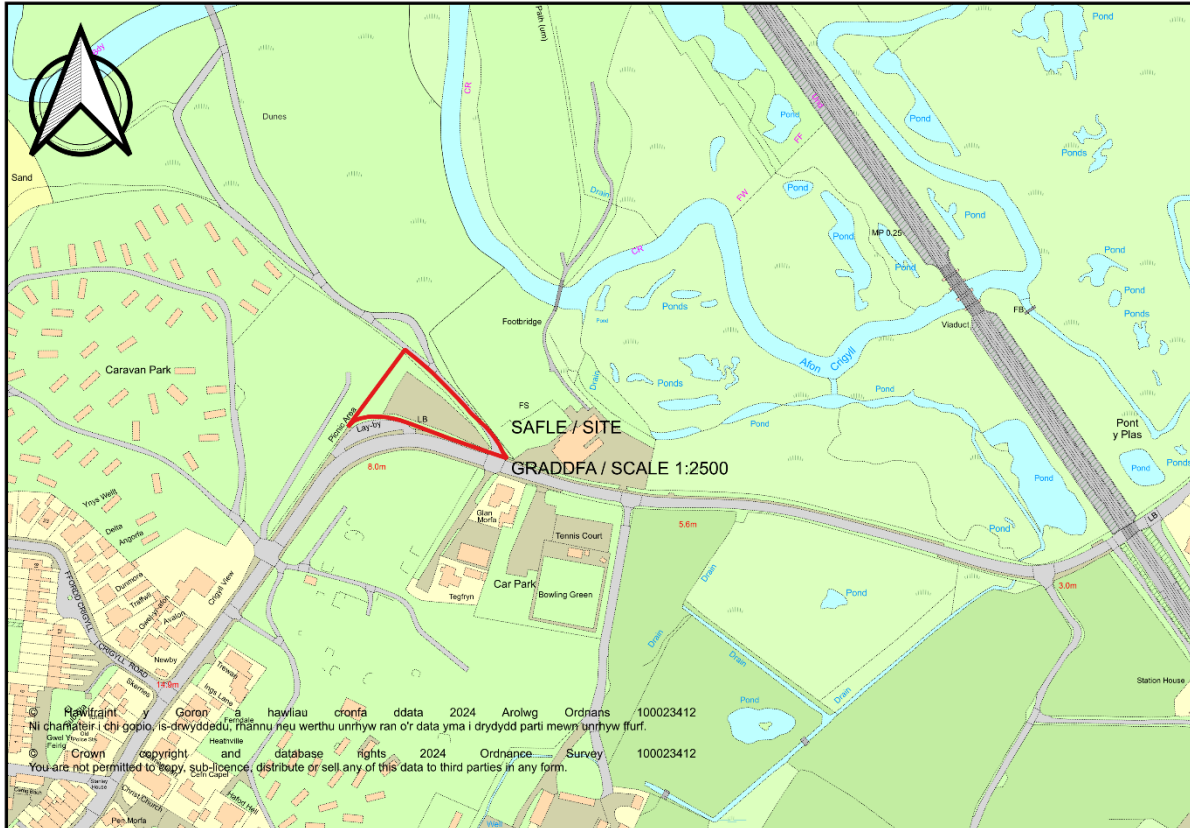
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2024/40

Applicant: Anglesey Golf Club

Description: Full application for the use of the existing yard to site storage containers on land at

Site Address: Anglesey Golf Club, Station Road, Rhosneigr.



Report of Head of Regulation and Economic Development Service (Colette Redfern)

Recommendation: Refuse

Reason for Reporting to Committee

At the request of the Local Members.

At the planning committee held on the 5th June, 2024 the members recommended a site visit takes place. The site was visited on the 19th June and members will now be familiar with the site and its setting.

Proposal and Site

The parcel of land lies outside the development boundary of Rhosneigr and lies next to the Anglesey Golf Club. Land to the south and west of the application are established touring and static caravan sites and the land to the north and east is the Anglesey Golf Club. A track runs along the rear of the site leading

from the A4080 to the RAF viewers car park. The application site is currently used as an overflow car park for the golf club. Storage containers have also been placed on the land over the past few years however the numbers have fluctuated between 1 and 5 containers.

The proposal is for the change of use of the land to site 44 containers (39 standard and 5 small containers) together with landscaping.

Key Issues

The applications main issues are;

- i. Policy considerations
- ii. Landscape Impact
- iii. Highway Safety
- iv. Biodiversity

Policies

Joint Local Development Plan

Strategic Policy PS 1: Welsh Language and Culture
Strategic Policy PS 4: Sustainable Transport, Development and Accessibility
Strategic Policy PS 5: Sustainable Development
Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change
Policy PCYFF 1: Development Boundaries
Policy PCYFF 2: Development Criteria
Policy PCYFF 3: Design and Place Shaping
Policy PCYFF 4: Design and Landscaping
Strategic Policy PS 13: Providing Opportunity for a Flourishing Economy
Policy CYF 1: safeguarding, Allocating and Reserving Land and Uses for Employment Use
Policy CYF 4: New Large Single User Industrial or Business Enterprise on Sites not Safeguarded or Allocated for Employment Purposes
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
Policy AMG 5: Local Biodiversity Conservation
Policy TRA 2: Parking Standards
Policy TRA 4: Managing Transport Impacts

Supplementary Planning Guidance - Maintaining and Creating Distinctive and Sustainable Communities - July 2019

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

Planning Policy Wales (Edition 12, February 2024)

Technical Advice Note 12: Design (2016)

Technical Advice Note 18: Transport (2007)

Technical Advice Note 20: Planning and the Welsh Language (2017)

Technical Advice Note 23: Economic Development (2014)

Policy ISA 1: Infrastructure Provision

Policy CYF 6: Reuse and Conversion of Rural Buildings, Use of Residential Properties or New Build Units for Business/Industrial Use

Response to Consultation and Publicity

Consultee	Response
Iechyd yr Amgylchedd / Environmental Health	Standard environmental and health and safety guidance
Polisi Cynllunio / Planning Policy	Comments regarding relevant policies
Draenio / Drainage	Standard comments regarding SUDS and advising that the site is at a medium risk of flooding from the sea
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Guidance regarding planting and lighting
Ymgynghorydd Tirwedd / Landscape Advisor	Comments
GCAG / GAPS	No comments
Prifffyrdd a Trafnidiaeth / Highways and Transportation	Requested further information regarding visibility splay - details acceptable.
Dwr Cymru Welsh Water	Advise regarding location of abandoned public watermain and recommended conditional approval regarding means of disposal of surface water
Cynghorydd Douglas Massie Fowlie	Originally raised concerns regarding parking and access to the site and volume of traffic. In a further e-mail requested that the application is referred to the Planning and Orders Committee for determination if recommendation was one of refusal
Cynghorydd Neville Evans	Requested that the application is referred to the Planning and Orders Committee for determination if recommendation is one of refusal
Cyngor Cymuned Llanfaelog Community Council	No response
Cyfoeth Naturiol Cymru	No objection and advised that the site lies partially within Zone C2 of the Development Advice Maps (DAM)

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of any representation was the 10/04/2024. At the time of writing this report one letter of representation and one web comments had been received at the department raising concerns and 34 letters of support. The main issues raised in objection to the development were;

- i. Impact on visual, environmental and recreational amenity area
- ii. Highway safety
- iii. Loss of parking area
- iv. Applicant is not the landowner

In response to the issues raised;

- i. The site is visible and will have a visual impact on the locality
- ii. The Highway Authority have been consulted and raised no objection to the scheme

- iii. The change of use of the land would result in the loss of the overflow car park
- iv. The applicant believed that the land was within their ownership, however following the receipt of the concerns that the land was not owned by the applicant and a desktop survey was undertaken which confirmed that the land was not registered, and the applicant has submitted Certificate D and placed a notice in the local press in order to advise the landowner of the proposed development

The 34 letters of support can be summarised as follows;

- i. Site is currently unsightly, and the proposal will be a planning gain.
- ii. Need for this type of facility in the locality.
- iii. Club is struggling economically and the development will provide additional income.

In response to the issues raised I would respond as follows;

- i. Whilst the roof of the existing containers may be visible at present the siting of 44 containers on the site will worsen the situation. The Landscape Officer has confirmed that the proposed planting will take 10-15 years to establish and provide adequate screening.
- ii. Whilst there may be a need for this type of development in the locality the application site is not the best location and storage facilities are best located within industrial estates and not on the edge of villages.
- iii. Whilst the proposal may provide additional income to the Golf Club this does not overcome the visual harm the development will have on the locality.

Relevant Planning History

No relevant site history

Main Planning Considerations

Whilst the applicant states that the site is currently used as a storage area and overflow car park the site does not benefit from planning permission for its use as a storage area or car park. From a desktop review of aerial images, it would appear that the storage containers were first brought onto the site in 2009. One storage container was placed on the land in 2009, 3 containers in 2013, 5 in 2015 and 3 in 2019 and 2021. During a recent site inspection 4 containers were present on the site.

The current application is for the siting of 44 containers (39 standard and 5 small containers) and would result in a material change in the use of the land.

i. Policy Context - The site lies outside the Development Boundary of Rhosneigr and is classed as open countryside. PCYFF 1 of the Anglesey and Gwynedd Joint Local Development Plan (JLDP) states outside development boundaries development will be resisted unless it is in accordance with specific policies in the Plan or national planning policies or that the proposal demonstrates that its location in the countryside is essential.

Strategic Policy PS 13 of the JLDP relates to Providing Opportunity for a Flourishing Economy and states that whilst seeking to protect and enhance the natural and built environment, the Councils will facilitate economic growth in accordance with the spatial strategy of the plan by (1) safeguarding 642.9ha of current land and units for employment and businesses (B1, B2, B8 and some sui generis uses) purposes (in accordance with Policy CYF 1).

The land subject to this application is not allocated for any specific use in the JLDP.

Policy CYF 4: New Large single user industrial or business enterprise on sites not safeguarded or allocated for employment purposes. Development will be granted provided they conform to **all** of the following criteria:-

Criteria (1): The proposed site should be located within or adjoining the development boundary of the Sub-regional Centre, Urban or Local Centre. ***The site lies 150m away from the development boundary of the Local Service Centre of Rhosneigr.***

Criteria (2): The proposal should have compelling evidence presented to justify the need for the development taking into account the national tests set out in PPW and TAN 23.

Only in exceptional circumstances can new initiatives be permitted on non-safeguarded or allocated sites. Whilst the information submitted in support of the application states that the development will provide a vital source of income for the Golf Club and if the proposal is refused it is likely that the Golf Club will cease to exist. The supporting information goes on to state that the Golf Club hosts a number of charity events and many community functions are held at the club.

Paragraph 1.2.7 of TAN 23 states: 'They should give first preference to sites within the boundaries of settlements. As a second preference, they should consider edge-of-settlement sites. As a third preference, they should be identifying land in the open countryside. Land may be identified in less preferable locations if the resulting benefits outweigh any adverse impacts of the development.'

It is not considered that the economic benefits of the development outweigh the visual harm the proposal will have on the locality.

Criteria (3): Where appropriate, an existing building or a previously developed site is used in order to meet the need.

Criteria (4): That the scale, type and design of the development is appropriate for the site and the locality or is compatible with existing uses on the site.

The site lies in an open countryside location and is situated next to the neighbouring holiday parks. The site fronts the A4080 and is located in a prominent location which would be visible when travelling out of the village towards Llanfaelog.

The proposal involves the siting of 44 storage containers and it is not considered that the scale and type of development is acceptable in this prominent location.

ii. Landscape impact - Policy PCYFF3 of the 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.

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 principle gateways into Gwynedd or into Anglesey, its effects on townscape and the local historic and cultural heritage and it takes into 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 of the JLDP relates to Design and Landscaping and states 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.

The application site lies close to the designated AONB, SPA, SSSI and Wildlife sites. Currently low-lying hedges are located along the border of the site however due to the topography of the site the existing containers can be seen from the adjoining A4080. The placing of an additional 40 containers on the land would result in the site being highly obtrusive and would have a negative visual impact on the locality and would be highly visible when travelling along the A4080 to and from the village and from the nearby public right of way which runs through the golf club grounds and surrounding elevated viewpoints.

This land is classed as being in the open countryside, the proposal would lead to an unacceptable industrial use in the open countryside. Criteria 4 of Policy CYF1 also states that development must be appropriate to the site. The scale of the development proposed would not complement or enhance the character of the area and would lead to a use that would extend a business activity further into the open countryside.

Sketches have been submitted in support of the application to illustrate how the development may look in the future. The Senior Planning Officer - Landscape and Trees has reviewed the documents and stated that the planting proposed to mitigate the development would take between 10-15 years to establish properly on a normal site and the fact that the site is in such an open setting and subject to high winds and salt air would severely affect the establishment of any planting. Planting growth on the site would be hindered and due to this the development would be visually obtrusive for a prolonged period of time.

iii. Highway Safety - The Highway Authority have been consulted and raised no objection to the development. However at the time of writing this report an amended visibility drawing had been received at the department. The details have been forwarded to the Highway Authority for assessment and they have confirmed that the amended visibility splay is acceptable.

iv. Biodiversity - Strategic Policy PS19 and Policy AMG5 of the JLDP states that proposals must achieve overall biodiversity enhancement in accordance with the Environment Wales Act (2016) and Planning Policy Wales.

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.

A Green Infrastructure statement has been submitted as part of the application. The proposal includes landscaping along the boundary of the site and the scheme has been considered by the Ecological Advisor who provided comments to improve the scheme, these comments have been forwarded to the applicant however at the time of writing this report no response has been received.

Conclusion

The site lies in a prominent position in the open countryside and would lead to an unacceptable built form of development in the open countryside and conflicts with Policy PCYFF 1, PCYFF 3, PCYFF 4 and CYF 4 of the Anglesey and Gwynedd Joint Local Development Plan.

Recommendation

That the application is refused for the following reasons:

(01) The local planning authority considers that the proposal would lead to an unacceptable built form of development in the open countryside and conflicts with Policy PCYFF 1, PCYFF 3 and PCYFF 4 of the Anglesey and Gwynedd Joint Local Development Plan.

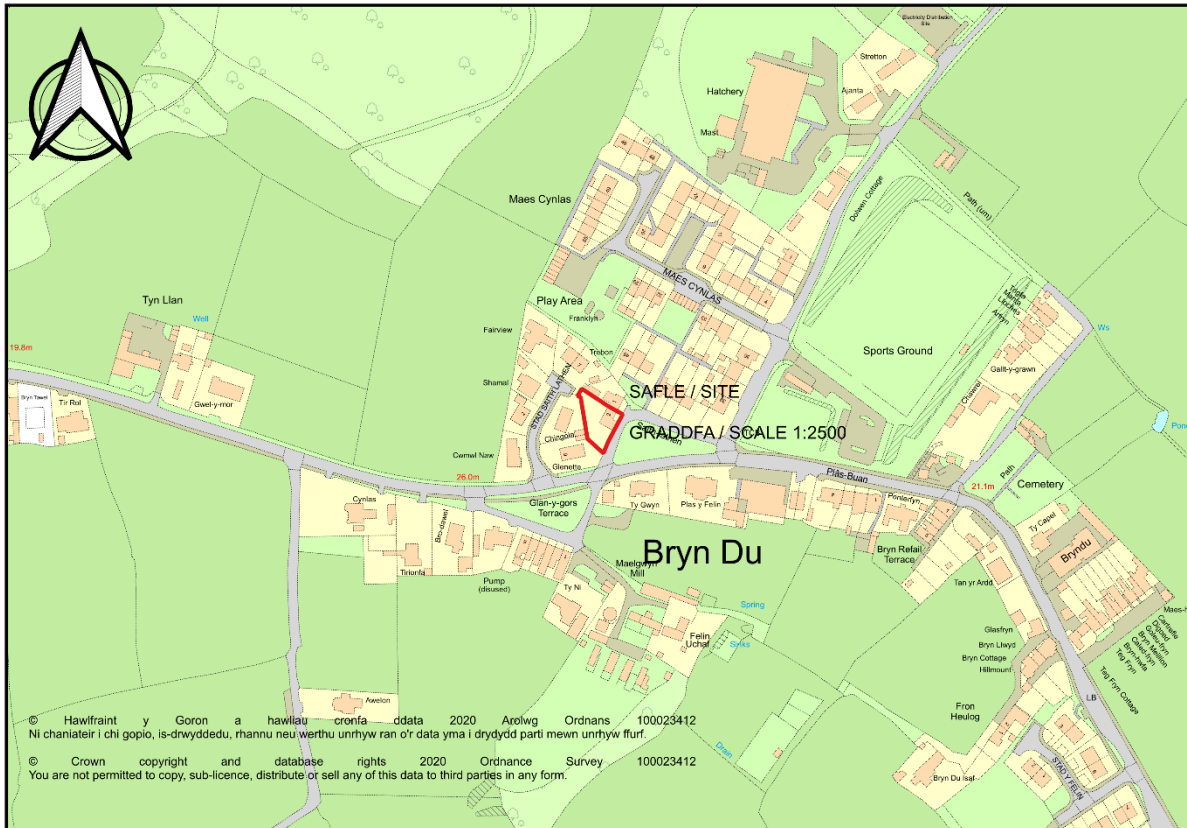
(02) The local planning authority considers that the proposal conflicts with criteria 1, 2 and 4 of Policy CYF 4 of the Anglesey and Gwynedd Joint Local Development Plan.

Application Reference: HHP/2024/56

Applicant: S Walpole

Description: Full application for alterations and extensions at

Site Address: 2 Saith Lathen, Ty Croes



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

Recommendation: Permit

Reason for Reporting to Committee

The application has been called into the Planning and Orders Committee at the request of Councillor Douglas Fowlie, due to concerns with parking, building over drains and over development of the site.

At the planning committee held on the 5th June, 2024 the members recommended a site visit takes place. On the 19th June a site visit took place. The members are now aware of the site and its settings.

Proposal and Site

The application site is a semi-detached cottage located within the Bryn Du cluster as defined by the Joint Local Development Plan.

The application presented is for alterations and extensions to the property, consisting of a single storey rear extension.

Key Issues

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

Policies

Joint Local Development Plan

Policy AMG 5: Local Biodiversity Conservation
 Policy PCYFF 2: Development Criteria
 Policy PCYFF 3: Design and Place Shaping
 Policy TRA 2: Parking Standards
 Policy TRA 4: Managing Transport Impacts

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

Planning Policy Wales (Edition 12, February 2024)

Technical Advice Note 12: Design (2016)

Response to Consultation and Publicity

Consultee	Response
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	No ecology survey is required, but confirmation is required regarding vegetation removal. Advice regarding roof work and external lighting and satisfied with the two nature boxes as biodiversity enhancements.
Cynghorydd Douglas Massie Fowlie	Called the application into the planning committee due to concerns with parking, building over drains and over development of the site.
Cynghorydd Neville Evans	No response received.
Cyngor Cymuned Llanfaelog Community Council	No response received.
Draenio / Drainage	Drainage informatives.
Dwr Cymru/Welsh Water	Condition regarding surface water drainage and advisory notes for the applicant.
Priffyrdd a Trafnidiaeth / Highways and Transportation	Confirmation required regarding parking provision on site. CTMP condition and highways informatives. Satisfied with the two parking spaces, which comply with the required standard.

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of any representation was the 23/04/2024. At the time of writing this report, one letter of objection had been received at the department. The main comments raised were:

- The proposed extension would be situated directly above the water service to 1 Saith Lathen, with no consideration or indication of rerouting or protection as part of this application. This water service was damaged whilst undertaking work on a previous development on site.
- The proposed extension would constitute an overdevelopment of the site. It would be the third development undertaken in six years, following a retrospective extension in 2018 and an annexe under the caravan act in 2022.
- The proposed development would restrict the ability to remove the annexe when the intended use is no longer valid.
- Lack of sufficient off-road parking at the application property, which only has one off-road parking space and is accessed off a narrow single-track road.
- Inaccurate application form stating that the development cannot be viewed from the public highway.
- The previous application on site indicated a bedroom was to be created whilst this application indicates that this wasn't completed.
- Lack of traffic management during the previous construction work on site.

In response to these comments:

- It would appear that this is a private water connection. There are no Welsh Water assets within the curtilage of the site and Welsh Water raised no objections during their consultation. The presence of this water connection and any future damage would be a private matter between the interested parties.
- The application proposes a small-scale extension, with ample amenity space remaining on site. The design will be discussed further in the main body.
- It is not considered that the proposed extension would impact the existing annexe.
- The Highways Department have been consulted on the application and are satisfied with the two off-road parking spaces on site.
- This is a minor inaccuracy in the application form. A site visit has been conducted and the planning officer is totally aware of the site and its surroundings.
- The existing and proposed floor plans indicate the layout of the property. It is not considered an issue whether there are one or two bedrooms within the dwelling.
- Condition (04) of this permission will require the submission of a Construction Traffic Management Plan which will allow the highway department to ensure that the highway is unaffected during the construction.

Relevant Planning History

HHP/2019/2 – Retrospective application for alterations and extensions at 2 Saith Lathen, Bryn Du, Ty Croes. Approved 25/04/2019.

LUP/2022/3 - Application for a Certificate of Lawfulness for the proposed siting of a mobile home to be used as an annexe used ancillary to the existing dwelling at 2 Saith Lathen, Ty Croes. Lawful 20/05/2022.

Main Planning Considerations

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

Proposal and Site

The application site is a semi-detached cottage located within the Bryn Du cluster as defined by the Joint Local Development Plan.

The application presented is for alterations and extensions to the property, consisting of a single storey rear extension.

The applications' main issues are:

- i. Siting and Design
- ii. Impact on Adjacent Residential Properties

iii. Highways and Parking

i. Siting and Design

The application site is a small property, with a lounge/bed sit in the original cottage, together with a kitchen, sitting room, bathroom and utility in the extension approved in 2019. The proposed scheme is for the erection of a single storey rear extension, extending from the rear of the existing extension. It will extend approximately 4.4m beyond the rear elevation, will measure 2.8m wide and will have a flat roof at 2.8m in height, which is the same as the existing extension.

Despite being higher than the eaves of the cottage, it remains a subservient extension which is considered to have a negligible impact on the surrounding built environment. The extension will have a window on the rear and double doors on the south side, opening into the garden. It will be finished with render to match the existing dwelling, which ensures a high-quality design in accordance with policy PCYFF 3, utilising materials appropriate to its surroundings. It is considered to complement and enhance the character and appearance of the site.

It is a small-scale extension which will integrate into the rear garden, which has ample space to accommodate the extension without compromising the amenity space for the occupiers, complying with policy PCYFF 2. There is an existing annexe in the northwest corner of the rear garden, which was erected under the caravan act and was deemed lawful by application LUP/2022/3. There will be around 2m separating the rear of the extension and the annexe, which will be a patio area.

The proposed extension is not much greater than a rear extension which could be erected under permitted development rights. It is a small-scale extension, subservient to the main dwelling, that will integrate into the site with its appropriate finish materials.

Two bird boxes will be placed on the property, which will provide overall biodiversity enhancements as part of the development, in accordance with policy AMG 5 and the Environment Wales Act (2016) and will ensure compliance with the changes to Chapter 6 of Planning Policy Wales.

ii. Impact on Adjacent Residential Properties

The application site is located within the cluster of Bryn Du, with several neighbouring properties nearby. Due to the small-scale nature and siting of the extension, it is not considered to negatively impact its neighbouring properties, complying with policy PCYFF 2. The double doors on the south side elevation will be opening into the garden and will be around 8m away from the boundary with 8 Saith Lathen. The bedroom window on the rear will be a similar distance away from 8 Saith Lathen, ensuring no overlooking concerns from the development, having negligible impacts on the neighbouring properties, complying with policy PCYFF 2.

iii. Highways and Parking

The property will be a 1-bedroom dwelling, with two off-road parking spaces within the curtilage. There will be one to the south of the side extension and one parallel parking space in front of the property. Both parking spaces comply with parking standards requirements and policy TRA 2. Concerns were raised regarding the lack of traffic management during previous works on site. Condition (04) will require the submission of a CTMP prior to commencing development to ensure that adequate control over the highway during construction.

Conclusion

The application proposed a small-scale rear extension to provide additional living space within the property. It is a subservient extension that will integrate into the built environment, using appropriate materials and not impact the existing amenity space afforded to the occupiers. The application is not considered to impact its neighbouring properties and will provide overall biodiversity enhancement. Ample

parking provision is provided at the property to comply with highways requirements, with the CTMP condition to control highway safety during construction. The proposed development is considered acceptable and complies with the relevant local and national planning policies.

Recommendation

That the application is permitted subject to the following conditions:

(01) The development to which this permission relates shall be begun no later than the expiration of five years beginning with the date of this permission.

Reason: To comply with the requirements of the Town and Country Planning Act 1990.

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

- Proposed site plan, elevations & section - received with planning application HHP/2024/56.
- Proposed floor plan - received with planning application HHP/2024/56
- Location plan - received with planning application HHP/2024/56
- Green infrastructure assessment - received with planning application HHP/2024/56

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

(03) No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

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.

(04) No development shall commence until the written approval of the local planning authority has been obtained in relation to a full comprehensive traffic management scheme including:

- i. The parking of vehicles for site operatives and visitors
- ii. Loading and unloading of plant and materials
- iii. Storage of plant and materials used in constructing the development
- iv. Wheel washing facilities (if appropriate)
- v. Hours and days of operation and the management and operation of construction and delivery vehicles.

The works shall be carried out strictly in accordance with the approved details.

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

(05) Prior to the occupation of the extension hereby approved the two bird boxes shown on the proposed elevation, received with planning application reference HHP/2024/56, shall be installed on the building and thereafter 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: AMG 5, PCYFF 2, PCYFF 3, TRA 2, TRA 4

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.