

Application Reference: FPL/2025/11

Applicant: Mr Owain Williams

Description: Full application for the proposed erection of 9 open market dwellings and 19 affordable dwellings together with associated development on land adjacent

Site Address: Maes Merddyn, Brynsiencyn



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

Recommendation: Permit

Reason for Reporting to Committee

The open market element of the scheme constitutes a departure from the Joint Local Development Plan by virtue of being outside of the development boundary, however due to the safeguarded fallback position on the site, the LPA are minded to approve.

Proposal and Site

The site lies in the rural settlement of Brynsiencyn, which is defined as a Local Village under the provisions of the Joint Local Development Plan. The site occupies a position directly adjoining the A4080, which is the main highway servicing the South West of the island. The site lies in the open countryside in

policy terms, however it is noted the eastern boundary of the site is shared with the development boundary of the settlement. No major gradient changes are observed across the site, although it is noted there is a gentle gradient running from east to west which follows the highway gradient.

Site boundaries are currently defined by mature hedging with individual specimens of mature trees. It is also noted the site benefits from a kerbed access which has been completed in recent years as means of making a material start to safeguard a previous consent. The site benefits from a valid and safeguarded fallback position for 13 dwellings under 37C26T/VAR and RM/2018/5, 4 of which being affordable.

The application is made for the erection of 28 dwellings on the site, 9 of which open market and the remainder (19 units) will be affordable. The development will consist of 8 single bedroom apartments, 13 two bed dwellings, 5 three bed dwellings and 2 four bed dwellings. The units will be a mix of open market and tenure neutral. All properties will be 2 storeys in nature and will be finished in slate roofs with rendered walls which will also include areas of timber/stone cladding. The site will be landscaped with native vegetation for both amenity and biodiversity purposes. An internal access network is also included as part of the scheme.

Key Issues

The key issues of the scheme are as following;

- Principle of open market dwellings.
- Principle of affordable dwellings
- Housing considerations
- Design
- Residential amenity
- Highways
- Drainage
- Ecology

Policies

Joint Local Development Plan

Policy PCYFF 1: Development Boundaries

Policy PCYFF 2: Development Criteria

Policy PCYFF 3: Design and Place Shaping

Policy PCYFF 4: Design and Landscaping

Policy PCYFF 5: Carbon Management

Policy PCYFF 6: Water Conservation

Policy TAI 4: Housing in Local, Rural & Coastal Villages

Policy TAI 8: Appropriate Housing Mix

Policy TAI 15: Affordable Housing Threshold & Distribution

Policy TAI 16: Exception Sites

Policy TRA 2: Parking Standards

Policy TRA 4: Managing Transport Impacts

Policy AMG 5: Local Biodiversity Conservation

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

Strategic Policy PS 1: Welsh Language and Culture

Strategic Policy PS 5: Sustainable Development

Planning Policy Wales (Edition 12, February 2024)

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

Technical Advice Note 12: Design (2016)

Supplementary Planning Guidance - Affordable Housing (2004)
 Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)
 Supplementary Planning Guidance - Maintaining and Creating Distinctive and Sustainable Communities - July 2019

Response to Consultation and Publicity

Consultee	Response
Cyfoeth Naturiol Cymru / Natural Resources Wales	No objection.
Cyngor Cymuned Llanidan Community Council	No response.
Swyddog Hawliau Tramwy Cyhoeddus/ Public Rights of Way Officer	No response.
Strategol Tai / Housing Strategy	Noted that affordable units are required.
Cynghorydd Alwen Pennant Watkin	No response.
Priffyrdd a Trafnidiaeth / Highways and Transportation	Satisfied with proposal.
Iechyd yr Amgylchedd / Environmental Health	Standard environmental protection informatives.
Dwr Cymru Welsh Water	No concerns in regards to foul drainage arrangements. Satisfied with site layout due to absence of any structures within protection zone of water main.
Polisi Cynllunio / Planning Policy	Outline of applicable policies provided.
Cynghorydd Dafydd Roberts	No response.
Gwasanaeth Addysg / Education Service	No contribution required due to sufficient space within education facilities.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Satisfied with mitigation and biodiversity enhancement measures.
Draenio / Drainage	No response.

The scheme was afforded publicity by means of a site notice displayed outside of the site, letters posted to occupiers of neighboring properties and an advert placed in the local press. At the time of writing this report, 2 letters of representation had been received along with 16 web comments. Of these 18 representations, 5 were made in objection and the remainder were supportive of the scheme. The objecting representations raised the following concerns;

- Loss of privacy
- Loss of habitat for species such as bats and owls
- Increase in traffic will gridlock the village
- Lack of public transport will result in increase of crime in the village
- Site regularly floods during heavy rainfall.
- Boundary wall could be damaged during works.
- Insufficient infrastructure to accommodate scheme in village.

In response to these representations, the LPA would comment as following;

- The scheme complies with the relevant distances noted in the SPG Design Guide and therefore it cannot be said that the proposal would lead to an unacceptable level of overlooking or loss of privacy.

- The scheme was assessed in an ecological capacity by the council Ecology Officer and Natural Resources Wales. No objections were received by either consultee. The mitigation and enhancement measures proposed are considered appropriate.
- The highway department raised no concern in regards to the local highway network and its capacity to accommodate the development.
- It is noted that there are 4 bus stops within close proximity to the site. The proposed land use is not inherently crime generating and as such any crime will be dealt with under separate legislation.
- The site is not shown to be within any flood risk area when considering both the Development Advice Maps or the Flood Maps for Planning.
- No works are proposed to the boundary wall. Any damage caused during works is considered to be a civil matter.
- The scheme is made to address an identified housing need. No concerns regarding infrastructure was raised by any consultee.

Relevant Planning History

37C26T/VAR - Application under Section 73 for the variation of conditions (02) and (03) of planning permission reference 37C26S (renewal of planning consent 37C26P for residential development) to re-new outline planning permission on land adjacent to High Street, Brynsiencyn. Approved 23/11/2016

RM/2018/5 - Application for reserved matters for the erection of 13 dwellings together with the construction of a vehicular access and associated works at High Street, Brynsiencyn. Approved 20/02/2019

Main Planning Considerations

Open Market Housing

Policy PCYFF 1 states that development will be resisted outside of the development boundaries unless they are in accordance with other policies contained within the development plan. As noted above, the site is located within the open countryside and as such this element of the scheme does constitute a departure, however the safeguarded consent on site for 9 open market dwellings is a material consideration that allows the LPA to consider this element of the scheme for approval. The scheme proposes the same amount of open market units as that of the safeguarded position and thus the LPA are satisfied to support this element of the scheme despite being a technical departure.

Affordable Dwellings

The site lies outside of but directly adjoining the defined development boundary of Brynsiencyn. Policy TAI 16 of the development plan supports applications for affordable housing on sites adjoining the development boundary. TAI 16 states;

"Where it is demonstrated that there is a proven local need for affordable housing (as defined in the Glossary of Terms) that cannot reasonably be delivered within a reasonable timescale on a market site inside the development boundary that includes a requirement for affordable housing, as an exception, proposals for 100% affordable housing schemes on sites immediately adjacent to development boundaries that form a reasonable extension to the settlement will be granted. Proposals must be for a small scale development, which are proportionate to the size of the settlement, unless it can be clearly demonstrated that there is a demonstrable requirement for a larger site, with priority, where it is appropriate, given to suitable previously developed land."

With the exception of the 9 open market units which have extant permission, the development is 100% affordable. The application is supported by the submission of a housing statement, which demonstrates there is a clear and identified need in the local area for the amount of affordable housing proposed. This was also echoed in the Housing Department response received as part of the application. Brynsiencyn

does not include any allocated housing sites nor is there any undeveloped land within the confines of the development boundary which could accommodate the number of affordable housing proposed under this application to meet the needs of the settlement.

The development is major development by virtue of the number of units proposed and thus is not small scale development as noted in the policy, however the LPA are satisfied there is a demonstrable requirement for the larger number of units in accordance with the housing department response and the findings of the housing statement. The site shares its Northern and Southern boundaries with the curtilages of other residential properties, with residential development also located to the east but separated by an agricultural enclosure. Subsequently, the department consider the site to be an infill plot and therefore a reasonable extension to the built form of the village. In addition to the above, the safeguarded consent on the site secures its status as 'suitable previously developed land'.

Housing Considerations

The indicative housing supply level for Brynsiencyn over the Plan period is 29 units. During the period of 2011 to 2021, a total of 2 units have been completed in Brynsiencyn. The windfall land bank, i.e. sites with existing planning consent, and likely to be developed at April 2023 stood at 14 units). This means that the proposed development would exceed the indicative capacity for Brynsiencyn. In light of the above mentioned figures under criterion (1b) of Policy PS 1 there is a need for a Welsh language statement to support the application. A Welsh Language Statement was received and the department are awaiting a response from the Welsh Language Manager at the time of writing this report.

The Plan's Monitoring Framework considers the number of units that are completed annually in order to determine if the Plan is achieving the housing requirement. Annual monitoring will also allow the Councils to determine what type of sites will supply housing i.e designation or windfall sites. The focus will be on the units completed rather than permissions. As well as this, the Monitoring Framework will try to assess if the Plan's Settlement Strategy is being achieved. This indicator looks at housing consents. Policy PS 17 in the Plan states that 25% of the Plan's housing growth will be located within Villages, Clusters and open countryside. The indicative growth level (including 10% slippage) for Villages, Clusters and open countryside is 1953 units. 1,698 units were completed between 2011 and 2023 in the Villages, Clusters and open countryside category and that 528 were in the land bank (and likely to be developed). This means that there is a current shortfall of 389 units within this category.

As the allocated housing growth level has exceeded its distributed percentage of growth allocation and that the settlement of Brynsiencyn can achieve its expected level of growth on sites through units completed, implementation of the current land bank and development of the allocated sites, this application would need to be justified outlining how the proposed development addresses the needs of the local community. The application was accompanied by a housing statement which demonstrates the identified need for the proposed housing. No objections were received by the housing department.

Affordable Housing

Policy TAI 15 states that proposals for 2 or more dwellings will need to include an affordable element. The scheme is made for 28 dwellings, with 9 of which being open market in accordance with the extant consent mentioned above. The remainder of the proposal is 100% affordable in accordance with the requirements for exception sites. Subsequently, the scheme is in accordance with policy TAI 15.

Housing Mix

Policy TAI 8 seeks to ensure housing schemes are of an appropriate mix to improve the housing stock of a settlement and meet the needs of the community. The housing mix of the scheme has been directly informed by the needs of the community as noted in the housing statement, with a number of housing types proposed from 1 bed apartments to 4 bed dwellings. No objections were received from the housing department nor the policy department in relation to the housing mix.

Design

Prior to establishing the acceptability of the schemes design, it is important to consider other local developments. Having visited the site and its surroundings, it was observed there is no set pattern of development as such, although it is noted there is a strong precedence of pitches slate roofs and rendered walls. A number of finishing materials have been used locally, with a mix of slate and tiled roofs along with rendered walls of various colours. It was also noted that several properties include stone cladding, with timber/weatherboard cladding used in the wider area. The site is located outside of any designated landscapes and therefore policy PCYFF 3 is considered the most applicable design related policy. Policy PCYFF 3 requires that proposals are of a high quality design which complement and enhance the appearance of a site and area.

As noted above, buildings on site will be of 2 storey construction finished in slate/tile roofs and rendered walls with aresa of timber/stone cladding. No element of the scheme will introduce any new design features into the area as it was observed that many dwellings in the locality are of a similar scale and proportion. The materials proposed are also in common use throughout the settlement. Due to the above, the LPA are satisfied the scheme is high quality and will complement and enhance the appearance of the site and area and thus will be in conformity with policy PCYFF 3. In addition to the above, it is noted the extant permission dwellings were of a much larger scale. It is considered that dwellings of a smaller scale such as those proposed under this scheme will be more in keeping and sympathetic to the existing street scene.

Residential Amenity

Policy PCYFF 2 of the JLDP gives policy level consideration for residential amenity and states proposals will be refused where they would have an unacceptable negative impact upon residential amenity. The Supplementary Planning Guidance Design Guide for the Urban and Rural Environment supports PCYFF 2 and provides useful guidance in assessing issues such as overlooking and overbearing by virtue of providing a proximity of development guide. The maximum distance noted within the guide is 21 metres and is required in the instance of a ground floor main window facing another ground floor main window.

The main area of concern in regards to impacts upon residential amenity is to the east of the site where the linear arrangement of dwellings will back onto the residential curtilages of existing properties. In accordance with the approved plans, there is 22m of distance between the rear of the properties, which complies with the maximum noted distance of 21m. It is also noted that they will be separated by a wildlife corridor and a new timber fence. The bedroom windows will be a minimum of 22m away from the dwellings to the east of the site, which complies with the required distance of 18m as noted in the Design Guide and therefore it cannot be considered that the windows will cause unacceptable overlook nor that the position of the new dwellings will cause unacceptable negative harm through overbearing.

The dwellings to the West of the site will be directly faced by 2 dwellings at a distance of 27m, which is ample distance to prevent any unacceptable overlooking or overbearing. In the southern section of the site, the end dwelling of the linear arrangement will be within 8.8m of the neighboring property, however the side elevation which faces the property does not include any windows and therefore will not overlook. The distance to the boundary from the new property is 1.9m, which falls short of the 2.5m noted in the spg design guide, however as there is 8.9m to the neighboring property it is not considered that the dwelling would be overbearing. The distance noted in the SPG required in the instance of a side to side (wall to wall) is 3.5m, which is greatly exceeded in this scenario.

The scheme has also been design as such so as new dwellings within the site will not overlook or overbear upon each other. Each dwelling has been afforded outdoor amenity space which is of a scale in conformity with that noted within the Design Guide. As the site is currently vacant, the noise and disturbance generated by the development is also a material consideration, however as there is an extant permission on the site for a number of dwellings, it is not considered this scheme would have an impact that would be drastically worse which would warrant refusal. Due to the above, the department are satisfied the scheme is in accordance with policy PCYFF 2 of the plan.

Ecology

Under policy AMG 5 and the Councils duty under The Environmental Act (2016), it is expected that all proposals demonstrate a net gain to biodiversity. Net gain will be achieved in this case by the installation of various bird and bat boxes on the dwellings along with a generous landscaping scheme and wildlife corridor. These measures were considered appropriate measures by the council Ecology officer in achieving net gain to 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. The application submission was supported by a Green Infrastructure Statement, which was assessed by the Local Authority Ecology Officer, who considered it acceptable and commensurate with the scale of the proposal.

Highways

The scheme will utilize the existing access, which was permitted under the extant consent which the site benefits from. The local authority highway department assessed the application and were satisfied with the details of the internal estate access road along with the parking provision on site. Several letters were received from local people who raised concern with the impact the scheme would have on traffic within the settlement, however, no such concerns were expressed by the local authority highway department who were satisfied with the ability of the local highway network to accommodate the scheme.

Drainage

With respect to the current and previous TAN 15 the site is not shown to be at risk of flooding No concerns were received in regards to this from either the Dwr Cymru or NRW. In terms of foul drainage, the site will dispose of foul flows into the public sewage system, which was not objected to by Dwr Cymru. The surface water flows will be disposed of via soakaways. This approach was considered acceptable by Natural Resources Wales and Dwr Cymru. Flooding was a concern highlighted in the objections received from members of the public, however, in accordance with the above, no concerns were received from the statutory consultees in regards to flooding and therefore it is not considered that there are grounds for refusal based on flooding.

Conclusion

The scheme was assessed against the joint local development plan together with accompanying national policies and supplementary planning guidance, where it was found to be in conformity with all relevant policies. No other material considerations are present which indicate a decision other than that of approval is justified. The scheme will utilise brownfield land and an extant permission to provide 9 open market dwellings together with 19 affordable houses, which are made to address the local affordable needs of the settlement. No objections were received from any statutory consultee and it is not considered there are grounds to refuse the scheme. The LPA is therefore obliged to recommend approval of the scheme.

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 / MMB-SAL-01-ZZ-DR-A-0001 Rev P2
- Landscape Planting Plan / 400-LST-XX-XX-DR-L-0301 Rev P15
- Proposed Drainage Scheme / 24041/SK501 Rev P04
- Site Sections / 24041/SK410 Rev P04
- Scheme Highway Alignments / 24041/SK401 P04
- Scheme General Arrangements / 24041/SK400 P04
- 7P4B House Type Plans and Elevations / MMB-SAL-05-ZZ-DR-A-0044 Rev P8
- 5P3B House Type Plans and Elevations / MMB-SAL-04-ZZ-DR-A-0042 Rev P8
- 4P2B House Type Plans and Elevations / MMB-SAL-03-ZZ-DR-A-0040 Rev P7
- 2P1B Flat Plans and Elevations / MMB-SAL-02-ZZ-DR-A-0046 Rev P6
- Proposed Site Elevations / MMB-SAL-01-ZZ-DR-A-0008 Rev P4
- Proposed Site Sections / MMB-SAL-01-ZZ-DR-A-0007 Rev P4
- Proposed Boundary Plan / MMB-SAL-01-ZZ-DR-A-0006 Rev P6
- Proposed Site Layout / MMB-SAL-01-ZZ-DR-A-0004 Rev P15
- Street Lighting Layout / P1966-CDP-XX-EX-DR-E-2101 Rev P4
- Construction Management Plan, Williams Homes (Bala) Ltd (Received 13/03/2025)
- Preliminary Ecological Appraisal, Reptile Survey and Great Crested Newt Survey, Maes Merddyn, Brynsiencyn. V4 18/03/2025

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

(03) The site shall be landscaped strictly in accordance with the Landscape Planting Plan [400-LST-XX-XX-DR-L-0301 Rev P15] 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 shall be replaced in the subsequent planting season by trees and shrubs of the same species and size as those originally required to be planted.

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

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

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

(05) The estate road(s) shall be completed to a base course finish with the surface water drainage system complete and fully operational before any work is commenced on the dwelling(s) which it serves.

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

(06) 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.

(07) The car parking accommodation shall be completed in full accordance with the details hereby approved before the dwelling is occupied 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.

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

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

(09) Before any of the dwellings hereby approved are occupied details of the measures to secure the future maintenance of the access and estate road have been submitted to and approved in writing by the Local Planning Authority, thereafter it shall be managed and maintained in accordance with the approved details for the lifetime of the development.

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

(10) 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.

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, PCYFF 5, PCYFF 6, TAI 4, TAI 8, TAI 15, TAI 16, AMG 5, PS 19, PS 1, PS 4, PS 5.

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