

**Application Reference:** VAR/2025/16

**Applicant:** Dr. Ieuan Jones

**Description:** Application under Section 73A for the deletion of condition (01) (temporary permission) and the variation of condition (03) (Hours of Use) of planning permission reference VAR/2022/37) (erection of a portacabin for a catering business) so as to amend the hours of use at

**Site Address:** Marian, Talwrn.



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

**Recommendation:** Permit

**Reason for Reporting to Committee**

At the request of the Local Member - Councillors Dylan Rees and Non Dafydd.

**Proposal and Site**

The application is made under Section 73A for the deletion of condition (01) (temporary permission) and the variation of condition (03) (Hours of Use) of planning permission reference VAR/2022/37) (erection of a portacabin for a catering business) so as to amend the hours of use at Marian, Talwrn.

The application site is located in the open countryside between the settlements of Pentraeth and Talwrn.

### **Key Issues**

The key issues are whether the proposed deletion and variation of conditions is acceptable and in accordance with relevant development plan policies and whether the proposed amendments would unacceptably effect the amenities of neighbouring properties.

### **Policies**

#### **Joint Local Development Plan**

Policy PCYFF 2: Development Criteria  
Policy PCYFF 4: Design and Landscaping  
Policy PCYFF 3: Design and Place Shaping  
Policy PCYFF 1: Development Boundaries  
Strategic Policy PS 13: Providing Opportunity for a Flourishing Economy  
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**

<b>Consultee</b>	<b>Response</b>
Iechyd yr Amgylchedd / Environmental Health	Comments.
Prifffyrdd a Trafnidiaeth / Highways and Transportation	No objection.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Comments/advice.
Draenio / Drainage	No comments.
Dwr Cymru Welsh Water	No objection.
Cynghorydd Non Lewis Dafydd	Request that the application be referred to the Planning Committee for determination.
Cynghorydd Dylan Rees	Request that the application be referred to the Planning Committee for determination.
Cynghorydd Paul Charles Ellis	No response at the time of writing the report.
Cyngor Cymuned Llanddyfnan Community Council	No response at the time of writing the report.

The application was afforded statutory publicity. This was by the posting of personal notification letters on the occupiers of the neighbouring properties. The latest date for the receipt of representations was the 09/06/2025.

At the time of writing the report, one representation had been received. The main points raised are summarised below:

- Concern regarding location of portacabin, directly to the front of neighbouring property. / *The portacabin is small and relatively unobtrusive. There is sufficient separation between the unit and the neighbouring property.*
- The portacabin has been largely unused for intended purpose and has no online presence. / *This was queried with the applicant who confirmed that there had been a recent period of non-use due to ill-health and time off, but that the business continued to be operational.*
- The business should be located in an appropriate location, such as an industrial estate. / *Policy CYF 6 of the JLDP supports new business in the open countryside subject to compliance with policy criteria, further assessment below in main body of report.*
- Concern regarding nuisance such as traffic and cooking odours. / *The portacabin would be used only by the daughter of the applicant, as a sole trader for food preparation generating little traffic given the small scale of the business. Furthermore, it is not considered that there would be an odour nuisance to such an extent that would warrant refusal since the neighbouring property was located out of the prevailing wind.*

## Relevant Planning History

FPL/2020/170 - Cais llawn ar gyfer gosod Portocabin ar gyfer busnes arlwyo yn/ Full application for the erection of a portakabin for a catering business at - Marian, Talwrn - Caniatáu / Permit 16.12.2020

VAR/2022/37 - Cais o dan Adran 73A i ddiwygio amodau (03) (Oriau Defnydd) o ganiatâd cynllunio

FPL/2020/170 (Cais llawn ar gyfer gosod portacabin ar gyfer busnes arlwyo) er mwyn diwygio'r oriau defnydd yn / Application under Section 73A for the variation of condition (03) (Hours of Use) of planning permission reference FPL/2020/170 (Full application for the erection of a portacabin for a catering business) so as to amend the hours of use at Marian, Talwrn, Llangefni - Caniatáu / Permit 04.07.2022

## Main Planning Considerations

The application is made under Section 73A for the deletion of condition (01) (temporary permission) and the variation of condition (03) (Hours of Use) of planning permission reference VAR/2022/37 (erection of a portacabin for a catering business) so as to amend the hours of use at Marian, Talwrn.

Planning permission was initially granted for the erection of a portacabin for a catering business on the 16<sup>th</sup> December 2020 under planning application reference FPL/2020/170 for a temporary period of 5 years.

Condition (03) of the permission relating to the permitted hours of use of the portacabin was subsequently amended in July 2022 under a Section 73A application, reference VAR/2022/37.

## Deletion of Condition (01) (Temporary Permission)

This application seeks to delete the temporary period condition (01) to allow permanent use of the portacabin and the variation of condition (03) to further amend the permitted hours of use.

Condition (01) of planning permission reference VAR/2022/37 requires that the building shall be removed from the land by the 16/12/2025 and the land reinstated to its former condition by the 16/12/2026. The condition was imposed due to concerns that the proposal had the potential to give rise to nuisance and therefore be harmful to the amenity of neighbouring properties so as to enable the LPA to re-consider the position after 5 years in light of circumstances prevailing at that date.

Criteria 4 of strategic policy PS 13: Providing Opportunity for a Flourishing Economy, 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:

4. Supporting economic prosperity and sustainability of rural communities by facilitating appropriately scaled growth of rural enterprises, extension of existing businesses and diversification by supporting the re-use of existing buildings, the development 'live work' units, working from home, and by encouraging the provision of sites and premises in appropriate accessible locations consistent with the Plan's Spatial Strategy and in line with Strategic Policies PS5 and PS6. It is considered that the proposal aligns with the aims and objective of the above policy as it is ensuring the sustainability of the rural community. The proposal is considered to be appropriately scaled in consideration of its location.

The proposal was initially supported under JLDP Policy CYF 6 which supports new business in the open countryside providing the proposals conform to the following criteria:

1. The scale and nature of the development is acceptable given its location and size of the building in question;
2. That the development would not lead to a use that conflicts with nearby uses or has an impact on the viability of similar uses nearby;

There has been no change in policy since the permission was originally granted, therefore the principle of the development remains acceptable in accordance with policy CYF 6.

Policy PCYFF 2 of the Joint Local Development plan states proposals will be supported providing they do not negatively affect the residential amenity of nearby properties.

In the assessment of the original application, it was noted that the nearest neighbour was over 35m away which was considered an ample distance, exceeding all recommended minimum distances noted in the Authority's adopted Supplementary Planning Guidance. The portacabin would be used only by the daughter of the applicant, as a sole trader for food preparation generating little traffic and waste given the small scale of the business. Furthermore, it was not considered that there would be an odour nuisance to such an extent that would warrant refusal since the neighbouring property was located out of the prevailing wind.

Nevertheless, it was acknowledged that the proposal did have some scope to cause nuisance, consequently it was initially granted permission for a temporary period of 5 years.

The temporary 5 year period comes to an end on 16/12/2025 and permission is now sought to delete this condition so as to allow for the permanent siting and use of the portacabin.

Whilst a representation has been received objecting to the application, it does not highlight that there have been any specific issues arising directly from the business activities since the use commenced, neither is the LPA aware that any concerns or issues have been raised in relation to activities associated with the business at any other point during this time.

The LPA are therefore satisfied that the business activities have not given rise to adverse effects upon the amenities of neighbouring properties and the deletion of condition (01) of planning permission reference VAR/2022/37 is therefore considered to be acceptable. The permission will however be subject to a condition setting out the limitations and nature of the approved use.

### **Variation of condition (03) (Hours of Use)**

The application also seeks the variation of condition (03) of the permission to amend the permitted hours of use so as to allow for full use of the portacabin between the hours of 08.00 to 21.30.

The current condition, limits the use of the portacabin to the hours of 08.00 to 18.00, except for the purposes of collection/drop off which shall not be permitted before 07.00 or after 21.00.

Given the small scale and nature of the business, operated by a single person it is not considered that the use of the portacabin during the requested hours is unreasonable or is likely to give rise to unacceptable impacts upon the amenities of neighbouring properties.

## **Conclusion**

The proposed deletion and variation of conditions is therefore considered to be acceptable having regard to the provisions of JLDP policies PCYFF2 and CYF 6.

## **Recommendation**

That the application is permitted subject to the following conditions:

**(01) The catering business hereby approved shall be limited to the preparation and sale of food and drink for off-site consumption only, and shall not include any form of dine-in restaurant, takeaway with food consumption on-site.**

Reason: To control the nature of the use and to safeguard the rural character of the area.

**(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 approved under planning permission reference FPL/2020/170**
- **Block Plan approved under planning permission reference FPL/2020/170**
- **Proposed Elevations approved under planning permission reference FPL/2020/170**

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

**(03) The use of the portacabin hereby permitted shall not be carried out outside the hours of 08.00 – 21.00.**

Reason: To protect the amenities of nearby residential occupiers.

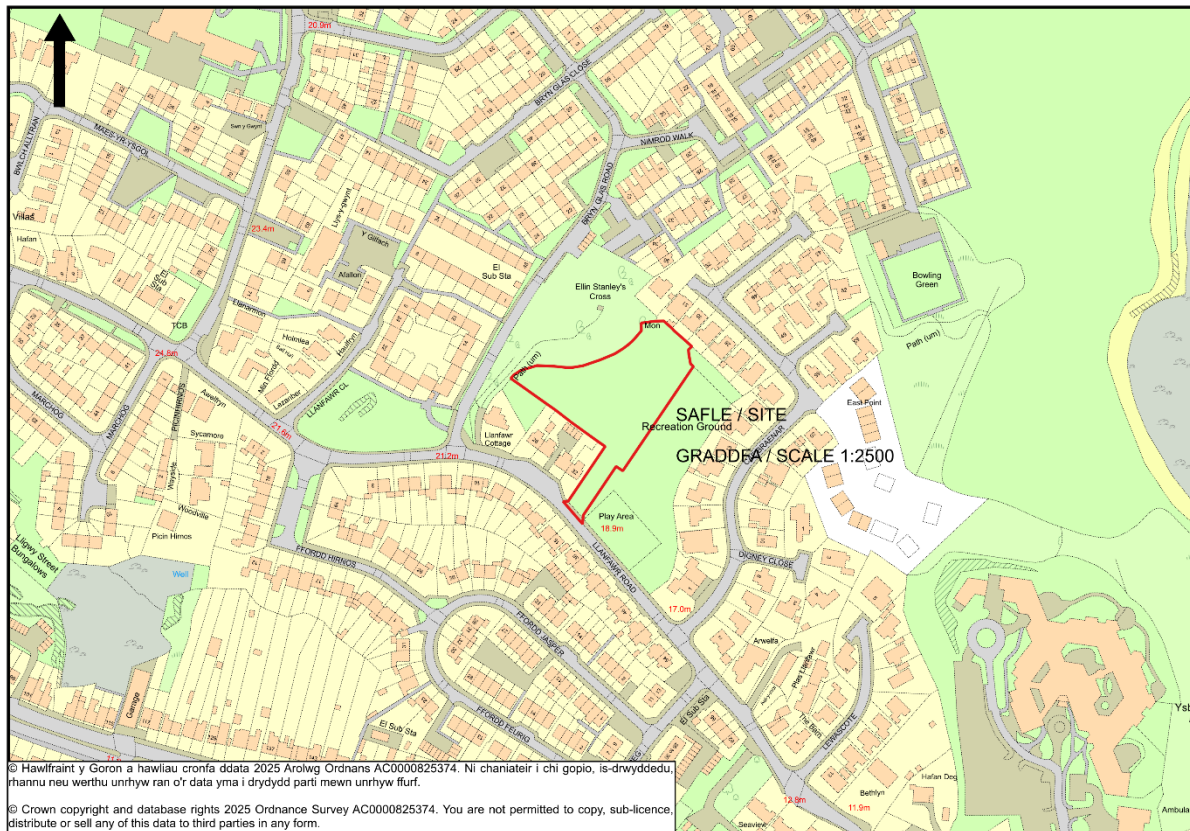
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

**Application Reference:** OP/2025/1

**Applicant:** Holyhead Town Council

**Description:** Outline application for the erection of 9 affordable dwellings which includes full details of access, appearance, layout and scale on land near

**Site Address:** Llanfawr Road, Holyhead.



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

**Recommendation:** Permit

### Reason for Reporting to Committee

At the request of the Local Member Councillor Jeff Evans.

### Proposal and Site

The proposal is an outline application for the erection of 9 affordable dwellings (social rented) with the means of access to the site, appearance, scale and layout being considered as part of the current application. The proposal is for the erection of 6 number bungalows, one pair of two storey semi-detached

properties and one detached dwelling. Access to the site will be via Llanfawr Road and will run along the side of the property known as 32 Llanfawr Road.

The site is located within the development boundary of Holyhead and on land that has been allocated as open space within the Anglesey and Gwynedd Joint Local Development Plan. The site lies between Bryn Glas Road and Cae Braenar. The site is flanked by residential properties. There is a mixture of single storey and two storey properties in the immediate locality with no distinct pattern of development.

## **Key Issues**

The application's main issues are:

- i. Compliance with Policy
- ii. Impact on neighbouring properties
- iii. Design
- iv. Highway Safety
- v. Biodiversity and 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 TAI 1: Housing in Sub-Regional Centre & Urban Service Centres  
Policy TAI 8: Appropriate Housing Mix  
Policy TAI 15: Affordable Housing Threshold & Distribution  
Policy AMG 5: Local Biodiversity Conservation  
Policy TRA 2: Parking Standards  
Policy TRA 4: Managing Transport Impacts  
Policy AMG 3: Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character  
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 19: Conserving and Where Appropriate Enhancing the Natural Environment  
Policy ISA 1: Infrastructure Provision

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 11: Noise (1997)  
Technical Advice Note 12: Design (2016)  
Technical Advice Note 18: Transport (2007)  
Technical Advice Note 20: Planning and the Welsh Language (2017)

Supplementary Planning Guidance - Planning and the Welsh Language (2007)  
Supplementary Planning Guidance - Affordable Housing (2004)  
Supplementary Planning Guidance - Design Guide for the Urban and Rural Environment (2008)  
Supplementary Planning Guidance - Planning Obligations (Section 106 Agreements) (2008)

Policy ISA 2: Community Facilities  
Policy PCYFF 6: Water Conservation  
Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change

## Policy ISA 4: Safeguarding Existing Open Space

### Response to Consultation and Publicity

Consultee	Response
Swyddog Hawliau Tramwy Cyhoeddus/ Public Rights of Way Officer	No response
Iechyd yr Amgylchedd / Environmental Health	Standard comments
Gwasanaeth Addysg / Education Service	Spaces available in local schools
Strategol Tai / Housing Strategy	Provided details of number of people on waiting list
Ymgynghorydd Tirwedd / Landscape Advisor	No response
Polisi Cynllunio / Planning Policy	Provided details of relevant policies
Cyfoeth Naturiol Cymru / Natural Resources Wales	Concerns that the scheme was to connect to a private sewerage system. Agent confirmed application form completed incorrectly and the proposed dwellings were to be connected to the mains sewer system and amended application form to reflect this.
GCAG / GAPS	No response
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	No objection. In response to the concerns raised by the Local Member stated that mown amenity areas provide little benefit biodiversity wise.
Draenio / Drainage	Standard drainage comments in relation to Sustainable Drainage System.
Priffyrdd a Trafnidiaeth / Highways and Transportation	Recommended conditional approval
Dwr Cymru/Welsh Water	Recommended conditional approval
Cynghorydd Pip O'Neill	Support - keen to see bungalows built in the area
Cynghorydd Jeff M. Evans	Call-in due to concerns of increase in traffic movements, drainage issues and ecological issues.
Cyngor Tref Caergybi / Holyhead Town Council	No response
Ymgynghorydd Treftadaeth / Heritage Advisor	No response
Sport Wales FIT	No response
Chwaraeon Cymru / Sport Wales	No response

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 28/02/2025. At the time of writing this report three letters of representation, one of which contains 16 signatures and 4 web comments had been received at the department.

The main issues raised can be summarised as follows:

- i. Highway Safety, increase in traffic



- ii. Loss of open space and footpath runs through the site
- iii. Drainage issues
- iv. Impact on property prices

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

- i. The Highway Authority have been consulted and raised no objection to the proposal following the receipt of an amended drawing illustrating the visibility splay.
- ii. Whilst it is acknowledged that the site is designated as a protected open space under Policy ISA 4 of the Anglesey and Gwynedd Joint Local Development Plan. The applicant proposes to improve the existing playing facilities on the neighbouring land. The proposed scheme includes the retention of the existing footpaths located near the site and provide footpaths to the play area.
- iii. The Drainage Section, Welsh Water and Natural Resource Wales have been consulted and raised no objection to the proposal.
- iv. This is not a material planning consideration.

### **Relevant Planning History**

19C1159 - Outline application with all matters reserved for the erection of a housing estate (6 flats, 7 houses) on land at - Llanfawr Road, Holyhead - Withdrawn 01/12/2017

### **Main Planning Considerations**

**i. Compliance with Policy** - Holyhead is identified as an Urban Service Centre under Policy TAI 1. 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. This site lies within the Holyhead development boundary.

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. The proposal can therefore be considered against Policy TAI 1.

The indicative supply level for Holyhead over the Plan period is 833 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.) (430 on allocated sites and 403 on windfall sites). During the period of 2011 to 2023, a total of 470 units have been completed in Holyhead (191 on allocated sites and 279 on windfall sites). The windfall land bank, i.e. sites with existing planning consent, and likely to be developed at April 2023 stood at 101 units. The allocated sites landbank stood at 36. This means that there is capacity within the indicative supply for the settlement of Holyhead and there is no need for a Welsh language Statement.

**Housing Mix** - 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. A Housing Statement has been submitted in support of the application and the information provided states that there is a need for the proposed dwellings.

**Affordable Housing** - 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 Holyhead. Since the proposed development proposes an increase of 9 units, this meets with the threshold noted in Policy TAI 15 for making an affordable housing contribution. As Holyhead is situated within the 'Holyhead' housing price area in the Plan, it is noted that providing 10% of affordable housing is viable. As an increase of 9 units

are proposed this means that 0.9 of the total new units should be affordable and therefore 1 dwelling should be affordable.

It is also worth noting that at the time of writing the report, it is the developer's intention to make the development 100% affordable, although this cannot be legally secured and the additional 90% affordability is at the developers discretion.

The site is designated as a protected open space under Policy ISA 4 of the Anglesey and Gwynedd Joint Local Development Plan. Policy ISA 4 states that proposal that will lead to the loss of existing open space including any associated facilities which has significant recreational, amenity or wildlife value will be refused unless they conform to the following criteria;

1. There is an overall surplus of provision in the community;
2. The long term requirement for the facility has ceased;
3. Alternative provision of the same standard can be offered in an area equally accessible to the local community in question;
4. The redevelopment of only a small part of the site would allow the retention and enhancement of the facility as a recreational resource.

The proposal will result in the loss of part of the existing open space and the scheme proposed to improve the existing play facilities however no details have been provided as part of the application and a condition will be imposed on the permission to ensure that full details are submitted as part of any detailed or full application.

It must also be noted that to the north east of the site, located between Cae Braenar and the coast is an open space. Whilst the proposal does not fully comply with the requirements of Policy ISA 4 the proposal will provide affordable social housing for the community and will improve the existing play facilities.

**ii. Impact on neighbouring properties** - The scheme has been sympathetically designed with the properties located to the rear of 26-32 Llanfawr Road set on an angle with the side of the properties located close to the garages / parking area of the properties. As the scrubland and playing area is to be retained along the eastern and western boundaries there are no immediate neighbouring properties located to the rear of the properties. The proposed units to the rear of 29 and 30 Cae Braenar are single storey and therefore it is not considered that the proposal will have an impact on the amenities currently enjoyed by the occupants of the dwellings.

Concern has been raised that the means of access to the proposed dwellings will run along the gable of 32 Llanfawr Road. The front door of the property is located on the gable of the property and an existing fence is located along the border with the application site. Screening by way of planting is proposed along the border of the site with the property which will act as a visual and noise barrier however the landscaping scheme is not detailed and a condition will be imposed on the permission that full details is submitted as part of any detailed or full planning application.

**iii. Design** - As stated above there is a mixture of single storey and two storey properties in the locality and the proposed scheme includes a mixture of 3 pairs of semi-detached bungalows and a two storey detached dwelling and a pair of semi-detached dwelling. Whilst the application is in outline form details of the design of the proposed units are to be considered as part of the current application.

Whilst the design of the units are considered acceptable the use of zinc as roofing material is not considered acceptable as this does not compliment the character of the surrounding properties which are finished in slate / tiles. A condition will therefore be attached to the permission for the use of natural slate as the roofing materials for the proposed units.

**iv. Highway Safety** - As stated above the site will be accessed via Llanfawr Road. The Highway Authority has been consulted and raised no objection to the proposal. Whilst it is acknowledged that the erection of

9 new dwellings may generate additional traffic the site lies within the development boundary of Holyhead which is designated as an Urban Service Centre.

The Highway Authority have requested that a condition is included on the permission stating that no direct pedestrian or vehicular access, other than that illustrated on the submitted plans, shall be used in connection with the development. The proposal will include a footpath link to the nearby footpath and therefore it is not considered that this condition can be included. Also the scheme will need to comply with the approved and the proposed means of vehicular access to and from the site is shown on the drawings submitted as part of the application.

**v. Biodiversity and Ecology** - 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 that would result in less harm, no harm or benefit have been fully considered.

Concern has been raised by the Local Member of the impact of the proposed scheme on ecology. The Ecological Advisor has received a copy of the issues raised and confirmed that there was no objection to the scheme. The application site does not encroach onto the neighbouring scrubland to the west of the application site. As stated above a landscaping scheme and Green Infrastructure Statement has been submitted stating the number of trees to be planted as part of the proposal however it is considered that a detailed landscaping scheme will be required to show the number of each native species and the location of the proposed bee box will be required as part of any future detailed or full application.

## **Conclusion**

Whilst the proposal results in the loss of a protected open space it is proposed to improve the existing facilities as part of the residential development of the site. Following consideration of the scheme against all relevant policies of the Joint Local Development plan together with consideration of all other relevant material consideration it is considered that the proposal is acceptable and will not have a detrimental impact on the amenities of neighbouring properties or highway safety and will provide biodiversity enhancements.

Subject to the conditions below and the signing of a S106 legal agreement for one of the units to be affordable in perpetuity, the proposal is considered to be acceptable and therefore is recommended for approval.

## **Recommendation**

That the application is permitted subject to the following conditions:

**(01) Details of the landscaping (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.**

Reason: The application is for outline planning permission.

**(02) The development shall begin either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.**

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

**(03) Any application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.**

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

**(04) The vehicle driveways shall be constructed with its gradient not exceeding 1 in 20 for the first 5 metres back from the nearside edge of the adjoining footway.**

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

**(05) The access shall be constructed with 45 metre by 45 metre splays on either side. 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.

**(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 details to be submitted for approval in writing by the Local Planning Authority in accordance with Condition (1) above, shall include full details of a scheme indicating all of the proposed means of enclosure around and within the site whether by means of walls or fences. The approved means of enclosure shall be constructed or erected prior to the occupation of the development hereby approved.**

Reason: To ensure that the details and appearance of the development are acceptable to the Local Planning Authority.

**(08) The details to be submitted for approval in writing by the Local Planning Authority in accordance with Condition (1) above shall include details of the proposed slab levels of the dwellings in relation to the existing and proposed levels of the site and the surrounding land. The dwellings shall be constructed with slabs at levels that have been approved in writing by the Local Planning Authority.**

Reason: For the avoidance of doubt

**(09) The details to be submitted for approval in writing by the Local Planning Authority in accordance with Condition (1) above shall include a landscaping scheme which includes ecological and biodiversity enhancements. The approved scheme shall be implemented not later than the first planting season after the occupation of the dwelling or completion of the development, whichever is the sooner. Any trees or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a species, size and maturity to be approved by the Local Planning Authority.**

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

**(10) No development shall take place until a scheme to enable the provision of gigabit capable broadband infrastructure from the site boundary to the dwellings/buildings hereby permitted has been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

Reason: To support the roll-out of digital communications infrastructure across Wales in accordance with Policy 13 of Future Wales.

**(11) Notwithstanding the roofing material as shown on the plans submitted with planning application OP/2025/1 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.

**(12) Construction works shall only be carried out between the hours of 08:00 - 18:00 Monday to Friday and 08:00 – 13:00 on Saturday. No works shall be carried out on Sunday or Bank Holidays.**

Reason: In the interest of residential amenity

**(13) 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.**

- Drawing number 001 - Rev P2 - Location Plan
- Drawing number 004 - Rev P3 - Proposed Site Plan
- Drawing number SK03 - Proposed Plan and Elevations - 5p3b
- Drawing number SK04 - Proposed Plan and Elevations - 3p2b bungalow
- Drawing number SK05 - Proposed Plan and Elevations - 7p4b
- Arboricultural Impact Assessment - Back to the Woods
- Housing Statement - Dewis Architecture
- Construction Traffic Management Plan - Dewis Architecture
- Preliminary Ecological Assessment Report - Cambrian Ecology

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

**(14) The provisions of Schedule 2, Part 1, Classes A, B and E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order re-voking or re-enacting that Order) are hereby excluded.**

Reason: In the interests of amenity.

**(15) The details to be submitted for approval in writing by the Local Planning Authority in accordance with Condition (1) above shall include a foul water and surface water drainage scheme for the site has been submitted to and agreed in writing by the local planning authority. The scheme shall provide for the disposal of foul water and surface 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.

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 6, TAI 1, TAI 8, TAI 15, TRA 2, TRA 4, AMG 3, AMG 5, PS 1, PS 4, PS 5, PS 6, PS 19, ISA 1 and ISA 4.

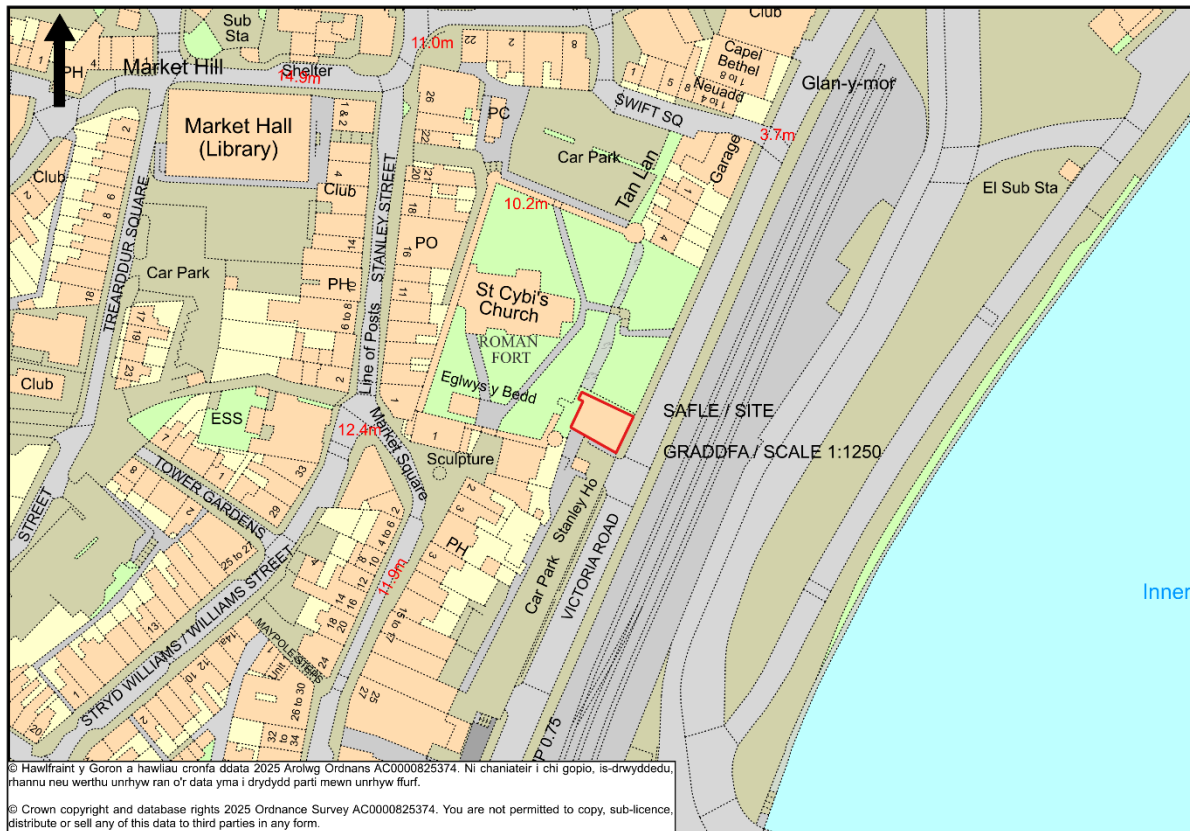
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

**Application Reference:** FPL/2025/66

**Applicant:** Hwb Cybi

**Description:** Full application for the change of use of the former restaurant (Use Class A3) into a mixed use community hub (Use Classes D1 and D2) at

**Site Address:** Mandarin Royale, Victoria Road, Holyhead



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

**Recommendation:** Permit

### Reason for Reporting to Committee

The application is reported to the Planning Committee as Councilor Pip O'Neil is the Chairman For the Hwb Cybi Committee.

### Proposal and Site

The site is located in the town of Holyhead and it's associated development boundary, occupying a roadside position beside Victoria Road. The site comprises of a 2 storey building which is of pitched slate roof construction with smooth rendered walls. The last known use of the site was as a restaurant serving Chinese food. It is noted the site is also located within the Holyhead Central Conservation area and also

flood risk zone 3 (Rivers and seas) and Zone 2 (Small water courses and surface water). No major gradient changes exist across the site itself, although it is noted that the topography rises sharply to the rear of the site towards the towns highstreet.

The application is made for the change of use of the site from an A3 hot food facility to a mixed use community hub under use classes D1 and D2. The scheme will provide a youth hub/meeting room/venue on the first floor, which the ground floor will provide kitchens along with a golf simulator. No external changes are proposed under the scheme and as such the scheme is purely for internal alterations and the material change of use of the building.

## Key Issues

The key issues of the scheme are as following;

- Principle of development.
- Flood risk.
- Impact upon residential amenity
- Ecology
- Highways

## 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 ISA 2: Community Facilities

Strategic Policy PS 5: Sustainable Development

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

Policy AMG 5: Local Biodiversity Conservation

Planning Policy Wales (Edition 12, February 2024)

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

Technical Advice Note 15: Development and Flood Risk (2004)

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

## Response to Consultation and Publicity

Consultee	Response
Iechyd yr Amgylchedd / Environmental Health	Standard informatives regarding protection of environment, health and safety and food hygiene.
Ymgynghorydd Treftadaeth / Heritage Advisor	No response.
Draenio / Drainage	Highlighted the location of the site within Zones 2 and 3 of flood risk and noted that a flood consequence assessment is required.



Prifffyrdd a Trafnidiaeth / Highways and Transportation	Requested a condition that requires details of a construction traffic management plan to be presented prior to commencing works on site.
Dwr Cymru Welsh Water	Requested condition to prevent any surface water from being discharged into the public sewerage network.
Cyfoeth Naturiol Cymru / Natural Resources Wales	Satisfied that flood related concerns can be overcome by including Flood Consequence Assessment within the list of approved plans.
Cynghorydd Pip O'Neill	No response.
Cynghorydd Jeff M. Evans	No response.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Satisfied with ecological enhancement measures and Green Infrastructure Statement.
Cyngor Tref Caergybi / Holyhead Town Council	No response.
Polisi Cynllunio / Planning Policy	Confirmed policy ISA 2 to be the relevant policy in considering the principle of the development.

Publicity was afforded to the scheme by the posting of personal letters to occupiers of neighbouring properties. A notice was also placed in the local press. At the time of writing this report, no letters of objection had been received by the department.

### Relevant Planning History

19C85/AD – Erection of an externally illuminated fascia sign at the Royal British Legion Club, Tan Lan, Victoria Road, Holyhead. Approved 27/02/1985.

19C1007 – Retrospective application for the temporary change of use of club into a night shelter at Royal British Legion Club, Victoria Rd, Holyhead, Ynys Mon, LL65 4AE. Approved 04/03/2008.

19C1007A - Change of use from a club into a Chinese restaurant together with alterations to the existing building at Royal British Legion Club, Victoria Rd, Holyhead. Approved 22/12/2008.

19C1007C/AD - Erection of an illuminated sign at Former British Legion Club, Victoria Rd, Holyhead. Approved 26/05/2011.

### Main Planning Considerations

#### Principle of Development

The Planning Policy Unit has confirmed that the change of use should be considered under policy ISA 2. Policy ISA 2 encourages the development of new community facilities, provided that:

- i. they are located within or adjoining development boundaries or they are located outside development boundaries but within clusters where the proposal will provide an essential facility to support the local community;
- ii. in the case of new buildings, that the local community's needs cannot be satisfied through the dual use of existing facilities or the conversion of existing buildings;
- iii. where the proposal is for a facility being relocated, it can be demonstrated that the existing site is no longer suitable for that use;
- iv. the proposal is of an appropriate scale and type compared to the size, character and function of the settlement;
- v. the proposal is easily accessible by foot, cycle and public transport.

The provision of new or enhanced multiuse community facilities, including the co-location of healthcare, school, library and leisure facilities in accessible locations will be encouraged.

The scheme will utilise an existing building which is within the development boundary and will not require any external changes to facilitate the change of use. The site is located in a highly sustainable location which is easily accessible on foot and also benefits from excellent public transport connections, with ample bus stops and a rail station nearby. Due to the above, the department is satisfied that the principle of the change of use is acceptable and in accordance with the principles of policy ISA 2.

### **Flood Risk**

The scheme was submitted prior to the adoption of the updated TAN 15 and therefore the scheme is to be considered under the Development Advice Maps and the superseded TAN 15 as opposed to the new Flood Maps for Planning. The site is within the C2 flood zone and is considered as highly vulnerable development as set out under the superseded TAN 15, however it must be noted the site has an existing lawful use as a restaurant and therefore the department do not consider the scheme would alter the vulnerability of the site and thus are satisfied to consider the proposal. The proposal submission was supported by a flood consequence assessment, which was assessed by Natural Resources Wales as the relevant consultee for Sea and River related flood zones. NRW had no objections with the contents of the Flood Risk Assessment and were satisfied with the proposal on condition the FRA was included in the list of approved plans and documents. Due to the above, the department consider the scheme is acceptable from a flood risk perspective.

### **Residential Amenity**

Policy PCYFF 2 of the Joint Local Development Plan provides policy level protection for residential amenity as states proposals will be refused where they would have an unacceptable negative impact upon residential amenity. As the site has an existing lawful use for a restaurant and as no external works are proposed, the main avenue for potential impacts upon residential amenity as a result of this scheme is through the increase in intensity of the use of the site and the subsequent noise and disturbance. Residential properties are located to the rear of the site, although it is noted from a site visit that they are at a significantly higher elevation. These properties are also flanked to the West by the High Street where there are numerous establishments such as public houses, takeaways, restaurants and shops and therefore there is an existing high level of background noise and disturbance in the area. It is not considered that the scheme would give rise to noise and disturbance that would exacerbate any existing impacts to a level which would be unacceptably negative.

### **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 2 bird boxes . This was considered appropriate in achieving net gain to biodiversity in consideration of the proposed scheme.

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 considered satisfactory and commensurate with the scale of the application.

### **Highways**

No concerns were expressed by the highways department in relation to the scheme due to the sufficient parking available in the vicinity of the application site and also due to the sustainability of the location in terms of access to public transport. Following a site visit, it is observed there is a large car park directly adjoining the facility, with ample parking also located all along the Eastern edge of Victoria Road.

## Conclusion

The proposal was assessed against all relevant policies and guidance, where it was found to be in conformity. No other material considerations were present which indicated that a decision of refusal was justified on planning balance. The scheme will provide an alternative use for the building which will be of benefit to the local community in a highly accessible location. The scheme is therefore recommended for approval subject to the conditions listed below.

## 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 and Block Plan Proposed / 2629-A3-02
- Proposed Ground and First Floor Plan / 2629-A3-04
- Flood Consequence Assessment, by JBA, Version 1, dated January 2025

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

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

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

### **(04) 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.

**(05) The premises shall be used as a Community Hub only and for no other purpose (including any other purpose in class D1 or D2 of the schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification).**

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

**(06) The use shall not be carried out outside the hours of 09:00 to 22:00 Monday to Thursday and 09:00 to 00:00 on Friday to Sunday.**

Reason: To protect the amenities of nearby residential occupiers.

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, AT 1, ISA 2, PS 19, PS 1, PS 4, PS 5, AMG 5, 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.