

Rhif y Cais: **45C294C** Application Number

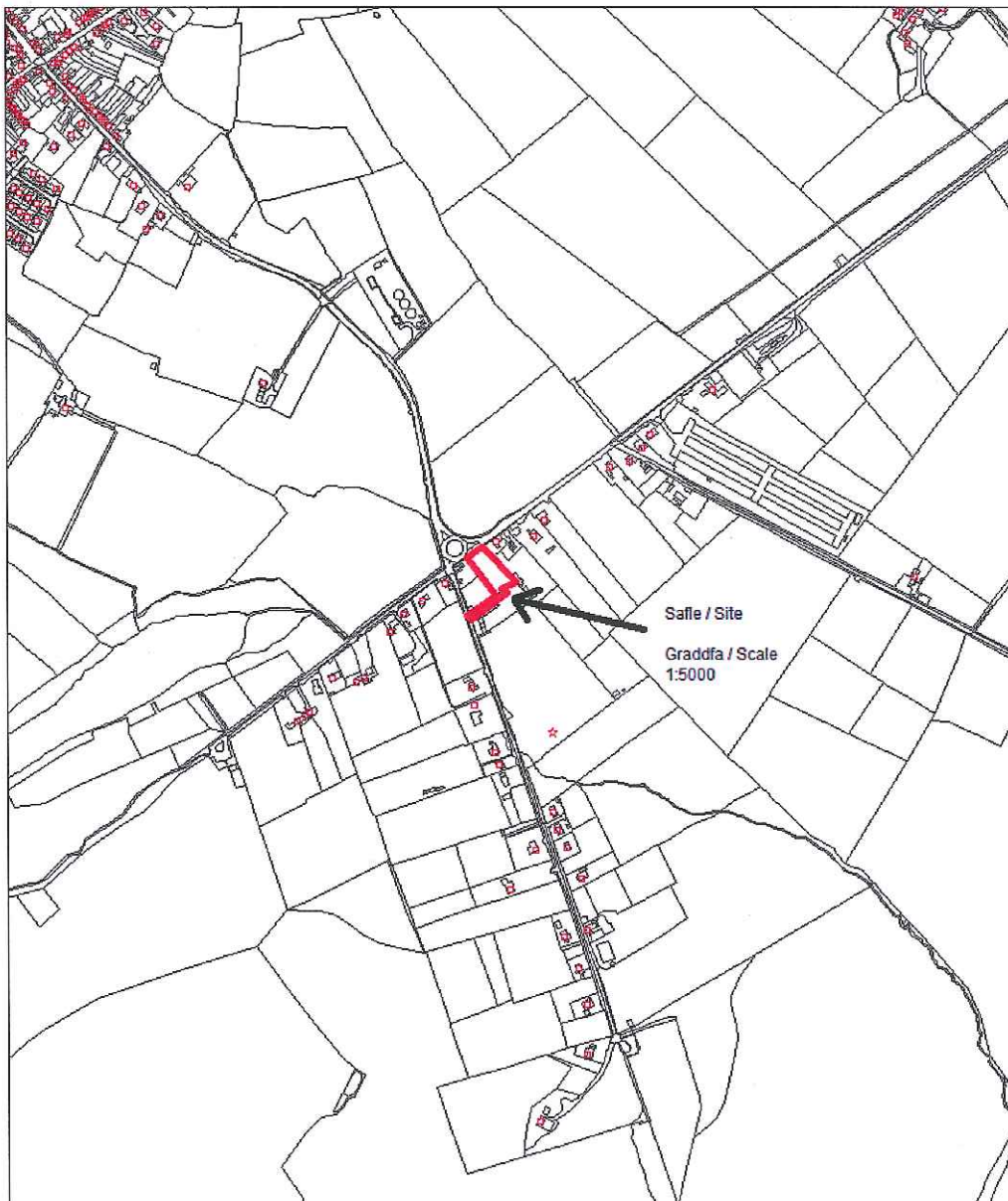
Ymgeisydd Applicant

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Cais llawn i godi annedd newydd ynghyd a creu mynedfa i cerbydau ar dir ger

Full application for the erection of a dwelling together with the formation of a vehicular access on land adjacent to

Minffordd Cottage, Penlon, Niwbwrch



Planning Committee: 31/07/2013

Report of Head of Planning Service (SCR)

Recommendation:

Permit

Reason for Reporting to Committee:

The application is presented to the Committee as an application which is contrary to the adopted Ynys Môn Local Plan but that can be supported under the Stopped Unitary Development Plan.

1. Proposal and Site

The application site is located in Penlon in Newborough. The site is located fronting the A4080. Access to the site is to be afforded via the single track that runs down to the public car park. The site lies within the designated Area of Outstanding Natural Beauty. The plot of land lies between two residential properties. The dwellings in the locality are predominantly single storey or dormer style properties.

The proposal is a full application for the erection of a bungalow together with alterations to the existing access.

2. Key Issue(s)

The key issue is whether the proposal is acceptable in terms of policy, design and impact on the surrounding landscape and on the amenities of nearby residential properties.

3. Main Policies

Ynys Mon Local Plan

Policy 1 – General Policy
Policy 48 – Housing Development Criteria
Policy 53 – Housing in the Countryside.
Policy 30 – Landscape

Gwynedd Structure Plan

Policy A2 – Housing Land
Policy A3 – New Housing Development
Policy A6 – New Dwellings in the Open Countryside

Policy D1 – Protection of the environment
Policy D4 – Location, Siting and Design.

Stopped Unitary Development Plan

Policy GP1 – Development Control Guidance
Policy GP2 – Design
Policy HP5 – Countryside Hamlets and Clusters
Policy EN2 – Areas of Outstanding Natural Beauty

Planning Policy Wales November, 2012 - 5th Edition

Supplementary Planning Guidance: Design Guide for the Rural and Urban Environment.

4. Response to Consultation and Publicity

Local Member – Cllr. Peter Rogers – No response at the time of writing this report.

Local Member – Cllr. A Griffith – No response at the time of writing this report

Community Council – Concerns regarding the foul pipe that runs along the side of the site

Natural Resources Wales – No objection

Welsh Water – Recommended conditional approval

Highways – Recommended conditional approval

Drainage – Requested further information and confirmed that the details received were acceptable.

5. Relevant Planning History

45C294 – Change of use of outbuilding into a dwelling, construction and alteration of a new and existing access respectively, alterations and extensions thereon together with the siting of a new septic tank outside the curtilage at Minffordd, Penlon – Withdrawn 29/07/02

45C294A – Conversion of derelict cottage to form dwelling, alterations and extensions thereto, together with the construction of a new access at Minffordd, Penlon, Newborough – Granted 06/08/04

45C294B - Full application for the erection of a dwelling on land adjacent to Minffordd, Penlon, Newborough – Granted 26/01/09

6. Main Planning Considerations

Principle of Development - The application site is considered as being in the countryside under the provisions of Policy 53 of the Ynys Mon Local Plan; however, it is identified as a Countryside Hamlet and Cluster under policy HP5 of the Stopped Unitary Development Plan.

The Stopped Unitary Development Plan remains a material planning consideration in view of the advanced stage reached in the Unitary Development Plan adoption process and since it has been subject to scrutiny at a Public Enquiry and supported in the Inspector's Report of 2004.

The application site is an 'infill site' which is immediately adjacent to the developed part of the rural hamlet as per the provision of Policy HP5.

The principle of the development is therefore acceptable under the provisions of Policy HP5 of the Stopped Unitary Development Plan and this is a material consideration of significant weight.

Planning permission 45C294B was approved in January 2009 and is an extant planning permission and the planning permission remains valid until January 2014.

Design – The majority of the properties in the locality are single storey and dormer style bungalows with a traditional slate roof finish, the finish of the dwellings in the vicinity vary from natural stonework to painted render. The proposed dwelling is of a single storey that will be finished in render and part stonework with a slate roof and hardwood windows and doors. This type of finishing is similar to what is found in the surrounding area and is considered acceptable and will not harm the surrounding area.

Effect on the surrounding area – The application site is located within an Area of Outstanding Natural Beauty (AONB). It is a statutory designation that recognizes its importance in landscape quality and nature conservation terms.

The primary objective for an AONB designation is the conservation and enhancement of their natural beauty. Local authorities have a statutory duty to have regard to AONB purposes and development control decisions affecting AONB's should in the first instance favour conservation of natural beauty.

The proposal is an infill plot and the scale, design and finishing material of the proposed dwelling is similar to what is found in the immediate vicinity. Therefore the proposal will not have a detrimental impact on the surrounding area.

Effect on amenities of nearby properties – There are no neighbouring properties immediately to the front or rear of the application site. The dwelling is to be situated approximately 17.5 metres away from the side of the neighbouring property known as Minffordd Cottage and approximately 18 metres from the side of the dwelling known as Pen Wal Bach and these distances comply with the requirement of the document titled Supplementary Planning Guidance Design Guide for the Urban and Rural Environment – Proximity of Development. Due to these distances the proposal will not affect the amenities of the occupants of the neighbouring properties.

The proposal has been amended to that previously approved under planning application reference 45C294B as the access to the site has been relocated further down the track and changes to the internal layout of the dwelling. The amendments as proposed are considered acceptable and will not harm the amenities of the neighbouring properties.

7. Conclusion

Whilst the proposal is contrary to policy 53 of the Ynys Môn Local Plan and policy A6 of the Gwynedd Structure Plan, the proposal is acceptable under the provision of policy HP5 of the Stopped Unitary Development Plan. The proposal will not harm the amenities of the neighbouring properties or surrounding landscape which is designated as an Area of Outstanding Natural Beauty.

8. Recommendation

Permit

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

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

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

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

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

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

(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: To comply with the requirements of the Highway Authority in the interests of road safety.

(06) The access shall be completed with a bitumen surface for the first 5 metres from the nearside edge of the County Highway with the surface water drainage system completed and in perfect working order before the use hereby permitted is commenced.

Reason: To comply with the requirements of the Highway Authority in the interests of road safety.

(07) No surface water from within the curtilage of the site to discharge onto the County Highway. The drainage of the highway at the access along the frontage to be carried out to the requirements of the Highway Authority before any work on the remainder of the development is commenced.

Reason: To comply with the requirements of the Highway Authority in the interests of road safety.

(08) 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 comply with the requirements of the Highway Authority in the interests of road safety.

(09) Land drainage run-off shall not be permitted to discharge either directly or indirectly into the public sewerage system.

Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

(10) No surface water shall be allowed to connect either directly or indirectly to the public sewerage system unless otherwise approved in writing by the local planning authority.

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

(11) Foul water and surface water discharges must be drained separately from the site.

Reason: To protect the integrity of the public sewerage system.

(12) The proposed development site is crossed by several public sewers including 75mm diameter foul rising main, 300mm diameter foul rising main and a 150mm foul sewer with the approximate position being marked on the attached Statutory Public Sewer Record. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No part of the building will be permitted within 3 metres either side of the centreline of the public sewer.

Reason: To protect the integrity of the public sewer and avoid damage thereto

(13) The development permitted by this consent shall be carried out strictly in accordance with the plan(s) submitted on the 11/06/13 and 15/07/13 under planning application reference 45C294C.

Reason: For the avoidance of doubt.