

Application Reference: FPL/2022/60

Applicant: Head of Housing

Description: Full application for the erection of 14 dwellings together with the creation of an internal access road and associated works on the former site of

Site Address: Newborough School, Pen Dref Street, Newbrough



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

Recommendation: Permit

Reason for Reporting to Committee

The application is on council owned land.

Proposal and Site

The proposal is a full application for the erection of 14 dwellings together with the creation of an internal access road and associated works on the former Primary School Site at Pendref Street, Newbrough. The former primary school has been demolished but the electrical sub-station building still remains on site at present. There are residential properties located to the North, South and West, with an area of undeveloped land to the East.

The land is located within the development boundary of Newborough as identified within the Joint Local Development Plan (JLDP).

There will be a mixture of single and two storey dwellinghouses across the site with various number of bedrooms. The proposal entails semi-detached, terrace of 4 properties and flats. All units are provided with designated parking and private amenity spaces. No public open space will be provided within the site; however there will be a need to provide a financial contribution of £2947.19 towards informal and equipped play space.

This is a major planning application which has been subject to statutory pre-application consultation process. The requirement to carry out a pre-application consultation is set out in Section 17 of the Act and the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 as amended by the 2016 Order.

Key Issues

- Principle of Residential Development
- Highway Considerations and Sustainability
- Relationship with the Surroundings
- Relationship with Adjacent Properties
- Ecology and Biodiversity Considerations

Policies

Joint Local Development Plan

Policy TAI 3: Housing in Service Villages
Policy TAI 8: Housing Mix
Policy TAI 15: Affordable Housing Threshold & Distribution
Policy PCYFF 2: Development Criteria
Policy PCYFF 4: Design and Landscaping
Policy PCYFF 3: Design and Place Shaping
Policy PCYFF 1: Development Boundaries
Policy PCYFF 6: Water Conservation
Policy PCYFF 5: Carbon Management
Policy ISA 2: Community Facilities
Policy ISA 5: Provision of Open Spaces in New Housing Developments
Strategic Policy PS 2: Infrastructure and Developer Contributions
Policy ISA 1: Infrastructure Provision
Strategic Policy PS 4: Sustainable Transport, Development and Accessibility
Policy TRA 2: Parking Standards
Policy TRA 4: Managing Transport Impacts
Strategic Policy PS1: Welsh Language and Culture
Strategic Policy PS 5: Sustainable Development
Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change
Strategic Policy PS16: Housing Provision
Strategic Policy PS19: Conserving and where appropriate enhancing the natural environment
Policy AMG5: Local Biodiversity Conservation
Policy AT4 – Protection of Non-Designated Archaeological Sites and their Setting

Supplementary Planning Guidance

Supplementary Planning Guidance Affordable Housing (2004)
Supplementary Planning Guidance IOCC Design Guide for the Urban and Rural Environment (2008) "SPG Design Guide"

Supplementary Planning Guidance Parking Standards (2008)
 Supplementary Planning Guidance Housing Mix (October 2018)
 Supplementary Planning Guidance Maintaining and Creating Distinctive and Sustainable Communities.
 Supplementary Planning Guidance Open Space in New Residential Development (2019)

National Policy:

Technical Advice Note 2: Planning and Affordable Housing
 Technical Advice Note 5: Nature Conservation and Planning
 Technical Advice Note 12: Design (2016)
 Technical Advice Note 18: Transport (2007)
 Technical Advice Note 20: Welsh Language

Response to Consultation and Publicity

| Consultee | Response |
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| Draenio Gwynedd / Gwynedd Drainage | Confirmation has been received that an application to the SAB is required to prior to any work commencing on site to ensure that the proposal manages on-site surface water adequately. |
| Ymgynghorydd Tirwedd / Landscape Advisor | Conditional Approval in relation to future management of private gardens and to ensure the landscaping scheme is implemented in accordance with the submitted information. |
| Rheolwr Polisi a Strategaeth / Policy & Strategy Manager | No response. |
| Cynghorydd John Ifan Jones | No response. |
| Cynghorydd Arfon Wyn | No response |
| Dwr Cymru Welsh Water | Confirmation has been received that Welsh Water is satisfied with the proposal. |
| Cyngor Cymuned Rhosyr Community Council | No response. |
| Cadw Scheduled Monuments | No response. |
| Ymgynghorydd Treftadaeth / Heritage Advisor | No heritage implications. |
| Cyfoeth Naturiol Cymru / Natural Resources Wales | NRW is satisfied with the proposal with appropriately worded conditions in relation to contamination, piling, and biosecurity. |
| Strategol Tai / Housing Strategy | No response |
| Gwasanaeth Addysg / Education Service | Confirmation has been received that there is sufficient capacity in the Primary School to cater for any additional school spaces which development. |
| Priffyrdd a Trafnidiaeth / Highways and Transportation | Satisfied with the proposal with appropriately worded conditions |
| GCAG / GAPS | GAPS confirmed that a programme of archaeological evaluation was conducted at the site owing to the moderate potential for |

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| | <p>archaeological remains in the locale. Niwbwrch is notable for its medieval origins, especially at the central crossroads and the surrounding areas.</p> <p>Despite this, the Trial Trenching confirmed that the creation of the old school has significantly altered the sub-surface deposits of the site. Whilst there is still potential for archaeological remains to the east in the area of the old playing fields – the red lined boundary defined by this application falls within the footprint of the old school, where the archaeological potential is deemed to be low. As such there is no recommendation for mitigation in this instance.</p> |
| Ymgynghorydd Ecolol ac Amgylcheddol / Ecological and Environmental Advisor | Satisfied with the ecological surveys and reptile surveys. The developer should ensure the mitigation and recommendations of the ecological surveys are adhered to. |
| Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit | Standard Policy Comments received |
| Iechyd yr Amgylchedd / Environmental Health | Standard comments in relation to vibration, contamination of land and hours of working. |

The proposal has been advertised through the posting of a notice on site together with the distribution of personal letters of notification to the occupiers of neighbouring properties. A notice was also placed within the local newspaper. The latest date for the receipt of any representation was the 3rd November, 2022. At the time of writing the report 3 letters had been received at the Department and a further 9 web comments. The main comments as follows:-

- No objection but concerns on site traffic on Pendref Street and traffic should not be permitted to use Pendref Street.
- No pavement on Pendref Street close to playground, cul-de-sac and senior citizens
- Children Safety with back gardens directly onto Pendref Street
- Community Infrastructure Levy
- Additional traffic and Highway Safety and Visibility
- Additional traffic signs, speed limits should be looked at
- Pre-Application Process not undertaken correctly
- Concerns when the former school was demolished
- Overlooking and Loss of light
- Loss of amenity
- Impact on Ecology
- Slate roof should be used
- New plans submitted and everyone should have re-consultation
- Development should be in keeping with the surrounding area, flats not acceptable
- Solar panels should be solar tiles

In response to the comments raised by neighbouring properties:-

- The Highways Authority has confirmed that they are satisfied with the proposal, the access, visibility and parking arrangements. Appropriate conditions will be placed on the permission to ensure that further information is submitted to the Local Planning Authority to deal with Construction Traffic prior to commencement of work on site.
- Community Infrastructure Levy is not a planning consideration

- It is considered that the PAC process was undertaken and completed prior to the submission of the planning application.
 - Concerns over demolishing the former primary school is not a consideration for this planning application.
 - Consideration has been given to the impact of the development upon the amenities of adjacent residential properties, this will be further elaborated in the main body of the report.
 - An ecology and reptile survey has been submitted with the planning application and NRW and the Ecologist is satisfied with the information provided. Appropriate conditions will be placed on the permission to ensure the work complies with the recommendations of the surveys.
 - The roofing materials of the proposed dwellings will be slate
 - Adequate consultations have taken place and neighbours have had the opportunity to make comments on all amended/additional information
- It is considered that the development is in keeping with the surrounding area and the design of the dwellings have been taken into consideration.

Relevant Planning History

DEM/2020/4 - Application to determine whether prior approval is required for the demolition of the former school at - Newborough Primary School, Newborough - Permission Required 7/10/20

Main Planning Considerations

In the JLDP Newborough is identified as a Service Village under policy TAI 3 (Housing in Service Villages). This policy supports housing to meet the Plan's strategy through housing allocations and suitable unallocated sites within the development boundary and provided that the size, scale type and design of the development corresponds with the settlements character. This site lies within the Newborough development boundary as identified in the JLDP and represents the site of the old primary school the proposal can therefore be considered against Policy TAI 3.

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 (unless there are local circumstances or site constraints that dictate a lower density). The density of this proposal (14 units) is approximately 35 units per hectare which complies with the requirements of the Policy.

Affordable Housing

Policy TAI 15 seeks an appropriate provision of affordable housing. It has a threshold figure of 30% affordable housing for 2 or more units within Service Villages such as Newborough. This would equate to 4.2 dwellings having to be affordable.

It is also worth noting that this application is made by the Isle of Anglesey County Council's Housing Department, the development will therefore be for 100% affordable housing which will comply with the requirement of the Policy.

Housing Considerations

The indicative supply level for Newborough over the Plan period is 40 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. During the period of 2011 to 2021, a total of 21 (6 on allocated sites and 15 on windfall sites) units have been completed in Newborough. The windfall land bank, i.e. sites with existing planning consent, and likely to be developed at April 2021 stood at 9 units). This means that at present there is insufficient capacity within the indicative supply for the settlement of Newborough for this development,.

The Plan's Monitoring Framework will consider 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. 1,422 units were completed between 2011 and 2021 in the Villages, Clusters and open countryside category and that 708 were in the land bank (and likely to be developed).

However, as the settlement has seen its expected level of growth on windfall sites through units completed in the period 2011 to 2021 and completion of the existing landbank the application needed to justify the need of the proposal within the local community. Further information was submitted by the applicant to prove the need for this development in the area. A Housing Need Survey was undertaken and the proposed mix does address the identified need as identified in the Housing Need Survey.

Since this proposal would result in an unexpected windfall site for a large scale housing development in line with criterion (2) of Policy PS 1 a Welsh language impact assessment had been submitted to the Local Planning Authority.

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. The planning application was accompanied by a Housing Need Survey and confirmation that the Housing Department will be offering the 14 units as 'tenure neutral' i.e upon completion, the properties can be let at either social or intermediate rent as well as offered for sale under the shared equity scheme. The aim is to provide a mixed tenure development dependent on the need at the time of developing the site.

The proposed development offers a mixture of semi-detached and terrace properties which can accommodate various number of bedrooms and occupants. 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.

The mixture include 8 no 2 bedroom dwellings (2 storeys), 1 no 3 bedroom semi-detached dwellings (2 storeys), 1 no 4 bedroom semi-detached dwellings (2 storeys), 4 no 1 bed flats (2 storeys).

Regard is given to the Local Housing Market Assessment (LHMA), Council Housing Register and Tai Teg Register 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.

The proposal would increase the provision of semi-detached and terraced houses in Newborough. and would this increase in provision would contribute towards actions set out within the LHMA. The proposed housing mix would complement the housing mix provided within the area and in light of the above, it is considered that the proposal can be supported on the grounds of need in the locality.

Welsh Language and Culture

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 11, 2021) together with Technical Advice Note 20.

The 'Maintaining Distinctive and Sustainable Communities' Supplementary Planning Guidance (SPG) (adopted July 2019) provides further guidance on how Welsh language considerations are expected to be incorporated into all relevant developments.

In line with criterion (1b) of Policy PS 1 'Welsh Language and Culture' since this development would cumulatively provide more than the overall indicative housing provision for the settlement, a Welsh Language statement should be submitted in support of the application. It is noted that a Welsh Language Statement has been submitted with the application.

The Policy and Welsh Language Manager had not responded to the consultation response, however, it is considered that the impact upon the Welsh Language will be comparatively low and the fact that the dwelling houses will be 100% affordable will mean that the occupiers will remain local.

Provision of Open Spaces in New Housing Developments

As this is a development of 14 dwelling houses it triggers Policy ISA 5, which states that: "New housing proposals for 10 or more dwellings, in areas where existing open space cannot meet the needs of the proposed housing development, will be expected to provide suitable provision of open spaces in accordance with the Fields in Trust (FiT) benchmark standards of 2.4 hectares per 1000 population."

The Open Spaces in New Residential Developments Supplementary Planning Guidance (SPG) (March 2019) states that the benchmark standard proposed by the FiT consists of a minimum 2.4 hectares per 1000 population.

Following an assessment of the proposed development and the surrounding area and that no open space is provided within the site, the developer should provide a financial contribution of £2,947.19 towards informal and equipped children's play area off site.

Infrastructure Policy

Policy ISA 1 seeks adequate infrastructure capacity and where this is not provided by a service or infrastructure company, this must be funded by the proposal. Specifically for this type of development consideration is given to the capacity within local schools to accommodate the anticipated number of children on the site. It is also important to consider the effect of the proposed development on the capacity of local schools. The cumulative impact of other developments in the schools' catchment areas is also taken into account when assessing whether an education contribution should be made. The Lifelong Learning Department of Anglesey Council have confirmed that no commuted sum is required in this instance.

Character of the area:

At its core, one of the most fundamental consideration is whether this residential development is acceptable in respect of its design and layout is whether it can comply with the provisions of the JLDP and whether there are any other material considerations which must be taken into account. Policy PCYFF2, PCYFF3 and PCYFF4 are the primary consideration in assisting the proposal from this aspect.

The development is located within the development boundary of Newborough adjoining existing dwellinghouses. Within this context, achieving the correct design and appearance is important and it is noted that a mixture of development are located within the vicinity. These include a mixture of single and two storey dwellings of various designs.

The design and appearance (a mixture of stone/off white render, grey and slate roof) of the proposed units are considered acceptable in terms of their impact on the townscape which will acceptably integrate into the surrounding area. The proposed development includes a mixture of semi-detached dwellinghouses, a row of terrace housing and flats. It is considered that the proposed development will

not harm the character of the area and reflect the relatively dense residential pattern of development within the immediate locality.

Effect upon the amenities of neighbouring 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.

Regard has been given in terms of overlooking / loss of privacy and the effect on the outlook of adjacent residential properties.

Plot 1 – 4, Plot 12 and Plot13 complies with the guidance set out in the Supplementary Planning Guidance (SPG) Urban and Rural Environment in relation to proximity.

Plot 5 – 8 – These are flats 2 at the ground floor and 2 on the first floor, the distances in the SPG needs to be increased by 3m due to main living accommodation being at first floor level. The flats fail to comply with the distances to the rear boundary; however, consideration has been given to the fact that these flats will overlook the B4421 and Newborough Industrial Units, it is not considered that the flats will have any impact upon the amenities of the adjacent residential property known as 'Bryn Sinc' which is located approximately 25m in a North Easterly direction from the nearest flat.

Plot 9, 10 and 11 fails short of the distances to the boundary; however, as there is a distance of approximately 34m to the property to the rear and that there are existing trees and hedges which will be retained on this boundary, it is considered that there is sufficient distance between the existing property to the rear for these plots not to impact upon the amenities of the adjacent property known as 'Erw Goch'.

Plot 14 falls short of 0.5m to the boundary of the site and side elevation of 1 Stad Hen Ysgol; however, it is not considered that 0.5m short of the distance in a built up area will have a negative impact upon the amenity of this property.

To conclude, by virtue of the separation distanced between the dwellings, the orientation of the proposed units and existing boundary treatments and intervening uses, it is not considered that the proposed development will have a detrimental impact upon the nearby dwelling houses or future occupants of the proposed affordable units. Conditions will be attached to any permission to including measures to mitigate against the impact during the construction phase.

Local Highways Authority:

The Highway Authority has confirmed that they are satisfied with the proposed development with appropriately worded conditions and the need for the applicant to provide a Construction Traffic Management Plan prior to commencement of work on site to ensure that the construction traffic will not impact the highway network and adjacent residential properties.

Sustainability:

Policy PS 5 (Sustainable Development) supports development which is consistent with sustainable development principle, where appropriate, development should "Reduce the need to travel by private transport and encourage opportunities for all user travel when required as often as possible by means of alternative modes, placing particular emphasis on walking, cycling and using public transport in accordance with Strategic policy PS 4;" (Bullet point 12, Policy PS 5)"

It is considered that the policies contained within the JLDP are consistent with national planning policy in terms of its approach to sustainable development principles. Paragraph 3.39 of PPW (Edition 11, 2021) states;

“In rural areas most new development should be located in settlements which have relatively good accessibility by non-car modes when compared to the rural area as a whole. Development in these areas should embrace the national sustainable placemaking outcomes and, where possible, offer good active travel connections to the centres of settlements to reduce the need to travel by car for local journeys.”

This is further supported by paragraph 3.11 of Technical Advice Note 18: Transport, which states “Development in rural locations should embody sustainability principles, balancing the need to support the rural economy, whilst maintaining and enhancing the environmental, social and cultural quality of rural areas. Most development should be located in places accessible by a range of travel modes.”

As previously noted, the application site is located within the development boundary and therefore will naturally be located near sustainable means of travel and facilities. The site is located within a short walking distance to the nearest bus stop, which links Newborough to Menai Bridge, Llangefni and other key destinations.

The application site is also within walking distance to facilities within the village including the local primary school, pub, café, shop and a take away establishment and is within walking distance of the public right of way which links to the Coastal Path and Llanddwyn Beach.

It can therefore be concluded that the proposed development would be in accordance with PPW, TAN 18 and the JLDP, in terms of being in a sustainable location.

Drainage:

In accordance with Policy PCYFF 6 (Water Conservation), as the proposal exceeds the threshold of 10 units, a Drainage Strategy has been submitted with the application. The document provides details of how the development will satisfactorily address how suitable discharge of surface water and foul effluent generated by the proposed development will be dealt with.

The application site is not located within a Flood Zone. Nevertheless, the proposed development will require sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers. The proposal entails the inclusion of soakaways. Due to the size and nature of the development it will be necessary to provide an application to the SAB for approval prior to the commencement of the building work.

The foul water from the site will discharge into public water sewer. Welsh Water have been consulted regarding the application and not raised any objection to this method of disposing of foul water.

Ecology:

Policy AMG5 of the JLDP ensured that proposal must protect and where appropriate enhance biodiversity that has been identified as being important.

A Preliminary Ecological Appraisal and Herpetofauna Survey Report has been submitted with the planning application which confirmed that the electrical sub-station on the site had nesting swallows within the building. The demolition of the building shall only take place outside of the bird breeding season. The reptile survey found no presence of reptiles. The proposal includes the provision of nest boxes on some of the dwelling-houses as recommended by the ecological survey and two Schwegler bat boxes will be erected in existing trees on the East boundary.

The existing trees and hedges on the East boundary are being retained and new trees, shrubs and community orchard is proposed which will enhance biodiversity.

The Authority's ecologist together with Natural Resources for Wales have assessed the application and are satisfied that the appraisal and mitigation / enhancement measures being proposed. Conditions will be imposed accordingly to secure that the measures outlined within the Preliminary Ecological Assessment are carried out accordingly.

Landscape:

The application is accompanied by detailed landscaping plan which seeks to retain existing trees on the East boundary as well as incorporating new tree planting, shrubs and community orchard.

The Landscape Specialist has assessed the application and is satiated with the proposed development. Conditions will be attached to any permission to ensure that the proposed landscaping scheme will be carried out within the first planting season after completion or first use of the development, whichever is the sooner. The condition will also insist that 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.

A separate condition will also be attached to ensure that landscaping scheme will be managed accordingly. This will including management responsibilities and maintenance schedules for all landscaped areas, other than privately owned domestic gardens.

Conclusion

In summary the proposal for 14 residential units on this site within the development boundary of Newborough aligns with material policies and is acceptable having weighted the material considerations described 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) The site shall be landscaped strictly in accordance with Soft Landscape Proposals – 21/19/LP/001 Issue V3 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 accordance with Joint Local Plan Policy PCYFF 4.

(03) A landscape management plan, including management responsibilities and maintenance schedules for all landscaped areas including the orchard, other than privately owned domestic gardens. The landscape management plan shall also include post establish management of the trees, hedges, grass and ornamental features. Full details shall be submitted to and approved in

writing by the local planning authority prior to the occupation of any of the dwellings on the site. The landscape management plan shall be carried out as approved.

Reason: In accordance with Joint Local Plan Policy PCYFF 4.

(04) No development shall commence until a Construction Environmental Management Plan “CEMP” has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include general environmental provisions relating to the construction of the development and, as a minimum, shall include detail of:

The sustainability of the construction methods to be employed;

Full specification(s) of external lighting (if any)

Working hours during the construction

Dirt and dust control measures and mitigation

Noise, vibration and pollution control impacts and mitigation;

Existing hedge and tree protection measures.

Height, specification and colour of any safety all fencing and barriers to be erected in the construction of the development hereby approved.

Monitoring and compliance measures including corrective/preventative actions with targets in the CEMP which shall accord where relevant with British Standards.

The development hereby approved shall be undertaken in accordance with the approved CEMP.

Reason: To safeguard against any impact the construction of the development may have on the environment, landscape, local ecology and local amenity.

(05) The estate road 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.

(06) The dwellings shall not be occupied until the access road shown on plan NHD-LMA-XX-XX-DR-A-7006 Rev P6 has been constructed to the base course level.

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

(07) The estate road 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 dwellings which it serves.

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 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.

(10) 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.

(11) 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, including any Temporary Traffic Management Measures and Traffic Regulation Orders necessary to facilitate safe construction of the scheme including any advance, preparatory and demolition works;**
- (ii) The type size and weight of construction and delivery vehicles to be used in connection with the construction of the development, having regard to the geometry, width, alignment and structural condition of the highway network along the access route to the site;**
- (iii) The timing and frequency of construction and delivery vehicles to be used in connection with the development, having regard to minimising the effect on sensitive parts of the highway network and construction routes to the site, including regard for sensitive receptors e.g. schools and network constraints;**
- (iv) Identification of the routing strategy and procedures for the notification and conveyance of indivisible "out of gauge" loads. This includes any necessary measures for the temporary protection of carriageway surfaces; for the protection of statutory undertakers' plant and equipment; and for the temporary removal of street furniture;**
- (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 storage of plant and materials and the loading and unloading of plant and materials**
- (viii) Details of measures to be implemented to prevent mud and debris from contaminating the adjacent highway network;**

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

(12) 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.

(13) The highway boundary wall/hedge/fence or any new boundary erected fronting the highway shall at no time be higher than 1 metre above the level of the adjoining county road carriageway along the whole length of the sites boundary with the adjoining highway and nothing exceeding this height erected within 2 metre of the said wall/hedge/fence or any new boundary.

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 use hereby permitted is commenced.

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

(15) The estate road 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 development hereby approved whichever is the sooner.

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

(16) The details to be submitted for approval in writing by the Local Planning Authority shall include:

- the location and the type of street lighting furniture.

The development shall be constructed with in accord with the details that have been approved in writing by the Local Planning Authority under the provisions of this planning condition.

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

(17) No development shall commence until measures are in place to secure the future maintenance of the access and estate roads in accordance with details previously submitted and approved in writing by the local planning authority "Management and Maintenance Plan". The Management and Maintenance Plan for the lifetime of the development shall include the arrangements to secure the operation of the scheme throughout its lifetime. The access and estate roads shall thereafter be maintained in accord with the Management and Maintenance Plan approved under the provisions of this condition for the lifetime of the development hereby approved.

Reason: To comply with the requirements of the Highway Authority

(18) The application site shall be developed strictly and entirely in accordance with the recommendations and mitigation measures outlined in the Preliminary Ecological Appraisal by Enfys Ecology dated 15/10/21 Version 1 the Updated Protected Species Survey Report by Alison Johnston Ecological Consultant dated 11th October 2022 and the Herpetofauna Survey Report by Cambrian Ecology Ltd – dated 5th August 2022.

Reason: In the interests of ecology.

(19) Notwithstanding the roofing material as shown on the plans submitted with planning application FPL/2022/60. Natural slates of uniform colour shall be used as the roofing material of the proposed dwellings.

Reason: In the interests of amenity.

(20) No development or phase of development, including site clearance, with the potential to impact on invasive species, shall commence until a site wide Biosecurity Risk Assessment has been submitted to and approved in writing by the Local Planning Authority. The risk assessment shall include measures to control, remove or for the long-term management of invasive species both during construction and operation. The Biosecurity Risk Assessment shall be carried out in accordance with the approved details.

Reason: To ensure that an approved Biosecurity Risk Assessment is implemented to secure measures to control the spread and effective management of any invasive non-native species on the site.

(21) No development in a specific parcel of land (Electrical Substation at the centre of the site) suspected of contamination, shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority.

1. A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

Reason: To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination.

(22) No development shall commence until details of piling or any other foundation designs using penetrative methods (sufficient to demonstrate that there is no unacceptable risk to groundwater) have been submitted to and approved in writing by the Local Planning Authority. The foundation designs shall be implemented in accordance with the approved details.

Reason: Foundation details should be submitted to ensure there is no unacceptable risk to groundwater during construction and methods/design are agreed prior to the commencement of development or phase of development.

(23) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Reason: To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land, and to ensure that the development can be carried out safely without unacceptable risks.

(24) The development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Technical Advice Note 2: Planning and Affordable Housing (June 2006) or any future guidance that replaces it. The scheme shall include:

- the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 30% of housing units/bed spaces;
- the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- the arrangements for the transfer of the affordable housing to an affordable housing provider[or the management of the affordable housing] (if no RSL involved);
- the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: To ensure that the development provides an element of affordable housing in accord with development plan policy.

(25) The provisions of Part 1, Classes A and B of the Town and Country Planning (General Permitted Development) (Wales) Order 2013 (or any amendment or Order re-voking or re-enacting that Order) are hereby excluded.

Reason: To ensure the dwellings are retained as affordable dwellings

(26) 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 Drainage Layout – ECL.8561.D05.001 Rev A
- Access Road General Arrangement and Horizontal Alignment - ECL.8561.D07.001 Rev A
- Proposed Foul Water Drainage Layout and Manhole Schedule – ECL.8561.D05.002 Rev B
- Access Road Vertical Alignment Long Sections - ECL.8561.D07.002
- Proposed Surface Water Drainage Layout and Manhole Schedule - ECL.8561.D05.003 Rev A
- Surfacing and Construction Details - ECL.8561.D07.003 Rev A
- Section 104 Layout - ECL.8561.D007 Rev B
- Kerbing and White Lining Layout and Details - ECL.8561.D07.004 Revision A
- Section 38/278 Layout - ECL.8561.D07.005 Rev A
- Planning_5P3B_House_GA_Plans_Elevations – NHD-LMA-XX-XX-DR-A-7003 Rev P4
- Planning_4P2B_Mid-House_GA_Plans_Elevations - NHD-LMA-XX-XX-DR-A-7002 Rev P4
- Planning_4P2B_House_GA_Plans_Elevations - NHD-LMA-XX-XX-DR-A-7001 Rev P4
- Planning_2P1B_Apartments_GA_Plans_Elevations - NHD-LMA-XX-XX-DR-A-7000 Rev P4
- Planning_6P4B_House_GA_Plans_Elevations - NHD-LMA-XX-XX-DR-A-7004 Rev P4
- Site Plan As Proposed - NHD-LMA-XX-XX-DR-A-7006 Rev P8
- Soft Landscape Proposals – 21/19/LP/001 Issue V3

- Proposed Surface Water Swale Layout – ECL.8561.D05.008
- Site Sections As Proposed - NHD-LMA-XX-XX-DR-A-7007 Rev P3
- Drainage Construction Details Sheet 1 of 2 – ECL.8561.D05.005
- Drainage Construction Details Sheet 2 of 2 – ECL.8561.D05.006
- Proposed Drainage Long sections – ECL.8561.D05.004
- Location Plan and Site Plan - NHD-LMA-XX-XX-DR-A-7005 Rev P4
- Preliminary Ecological Appraisal – Enfys Ecology dated 15/10/21 Version 1
- Geotechnical Ground Permeability and Contamination Investigation Report – Egniol Consulting Ltd dated April 2021 – E1351.GGCI.R1
- Geotechnical Surface Water Flooding
- Soakaway Details - Egniol Consulting Ltd dated 28/9/21
- Archaeological Evaluation (Trial Trenching) Gwynedd Archaeological Trust May 2022
- Housing Need Survey – Rural Housing Enabler
- Herpetofauna Survey Report – Cambrian Ecology Ltd – dated 5th August 2022
- Welsh Language Statement – Cadnant Planning Dated July 2022
- Updated Protected Species Survey Report – Alison Johnston Ecological Consultant – dated 11th October 2022

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

(27) No dwelling can be occupied until the developer has contributed towards the provision of Open Spaces in accordance with the policy requirements of ISA 5 of the Joint Local Development Plan Anglesey and Gwynedd (2017).

Reason: To hijack the requirements of ISA Policy 5 of the Joint Local Development Plan

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: TAI3, TAI8, TAI15, PCYFF1, PCYFF2, PCYFF3, PCYFF4, PCYFF5, PCYFF6, ISA2, ISA5, PS2, ISA1, PS4, TRA2, TRA4, PS1, PS5, PS6, PS16, PS19, AMG5, AT4

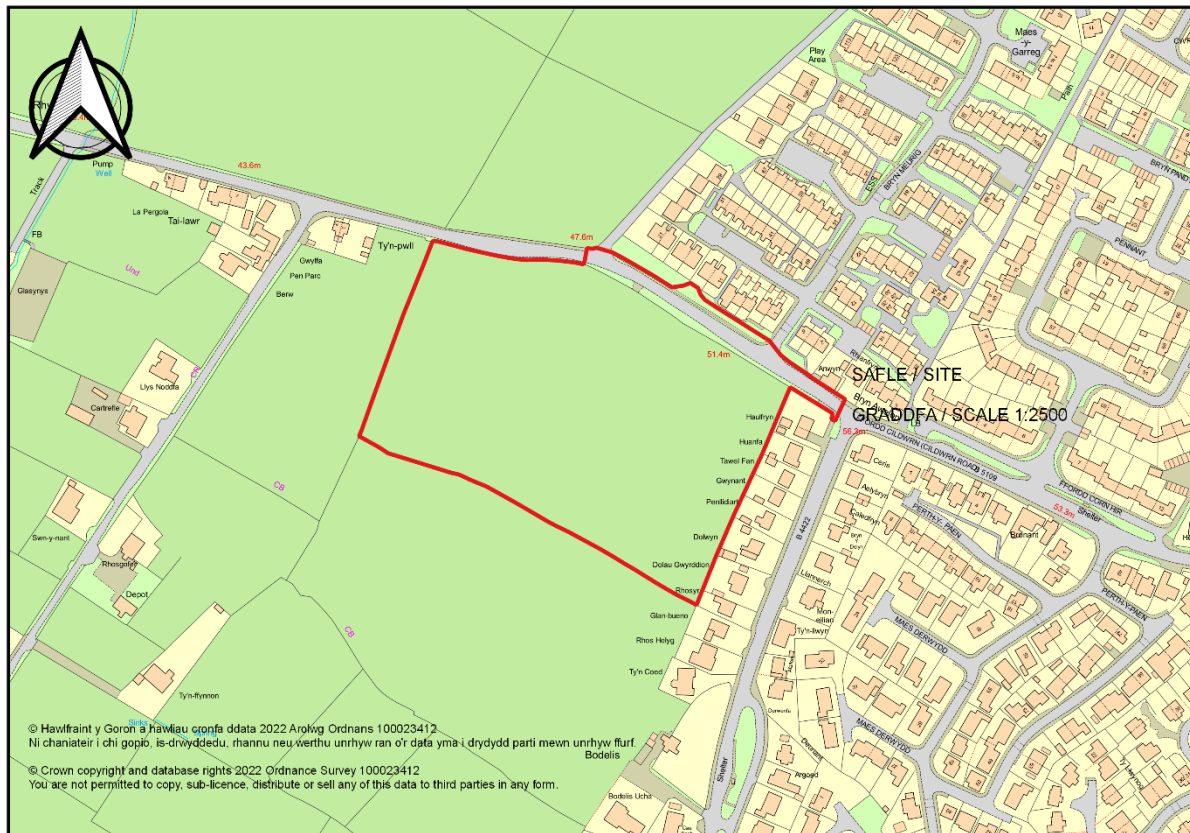
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: VAR/2022/69

Applicant: The Head of Lifelong Learning

Description: Application under Section 73 for the variation of condition (02) (Approved Plans) and (08) (Surface water drainage) of planning permission reference FPL/2019/7 (Erection of a new primary school) so as to allow surface water to drain into one connection point of the public sewer at

Site Address: Bryn Meurig, Llangefni



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

Recommendation: Permit

Reason for Reporting to Committee

The application is on council owned land.

Proposal and Site

This is a Section 73 planning application for the variation of condition (02) (Approved Plans) and (08) Surface Water Drainage of planning application FPL/2019/7 which was for the erection of a new primary school so as to allow surface water to drain into one connection point of the public sewer instead of two connection points as approved previously.

Key Issues

The key issue is whether Welsh Water is satisfied with amending the proposal to have one connection point for surface water.

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 6: Water Conservation
Policy TRA 4: Managing Transport Impacts
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
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
Policy ISA 1: Infrastructure Provision
Policy ISA 2: Community Facilities
Policy AMG 3: Protecting and Enhancing Features and Qualities that are Distinctive to the Local Landscape Character
Policy AMG 5: Local Biodiversity Conservation

Planning Policy Wales (Edition 11)

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

Technical Advice Note 12: Design (2016)

Technical Advice Note 18: Transport (2007)

Response to Consultation and Publicity

| Consultee | Response |
|--|--|
| Cynghorydd Geraint ap Ifan Bebb | No response |
| Cynghorydd Paul Charles Ellis | No response |
| Cynghorydd Dylan Rees | No response |
| Cynghorydd Non Lewis Dafydd | No response |
| Adain Dechnegol (Draenio) / Technical Section (Drainage) | No response |
| Dwr Cymru Welsh Water | Confirmation that one connection point for surface water is acceptable. |
| Cynghorydd Nicola Roberts | No response |
| Cyngor Tref Llangefni Town Council | Concerns of surface water from the site entering one connection point especially in heavy or continuous rain fall. |

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 16th

November, 2022. At the time of writing the report no letters of representation had been received at the department.

Relevant Planning History

SCR/2018/2 - Screening opinion for the erection of a new primary school together with the creation of new vehicular access onto the B5109 on land opposite - Bryn Meurig, Llangefni - EIA Not Required

FPL/2019/7 - Full application for the erection of a new primary school together with the creation of new vehicular access onto the B5109 on land opposite - Bryn Meurig, Llangefni – Permit

DIS/2019/55 - Application to discharge condition (03) (Tree protection plan) (06) (Construction method statement) (15) (Construction traffic management plan) of planning permission FPL/2019/7 on land opposite - Bryn Meurig, Llangefni - Condition Partially Discharged

MAO/2019/11 - Minor amendments to scheme previously approved under planning permission FPL/2019/7 so as to amend the approved external appearance, design of the main entrance and adjoining access gate, relocation of a substation and the design and positioning of fencing on land opposite - Bryn Meurig, Llangefni Permit

DIS/2019/83 - Application to discharge conditions (10) (Great Crested Newt Mitigation and Compensation Method Statement), (11) (Great Crested Newt Site Ecology Management) and (12) (Post construction Amphibian Surveillance) of planning application FPL/2019/7 (erection of a new primary school) on land opposite - Bryn Meurig, Llangefni - Condition Partially Discharged

DIS/2020/90 - Application to discharge condition (06), (Construction method statement) (15), (Construction traffic management plan) of planning permission FPL/2019/7 on land adjacent - Bryn Meurig, Llangefni - Condition Discharged

DIS/2020/91 - Application to discharge condition (03) (Tree protection plan) of planning permission FPL/2019/7 on land adjacent - Bryn Meurig, Llangefni - Condition Partially Discharged

MAO/2020/31 - Minor amendments to scheme previously approved under planning permission FPL/2019/7 (Erection of primary school) so as to amend cladding and remove 2 classrooms on land adjacent - Bryn Meurig, Llangefni - Permit

Main Planning Considerations

This is a Section 73 planning application for the variation of condition (02) (Approved Plans) and (08) Surface Water Drainage of planning application FPL/2019/7 which was for the erection of a new primary school so as to allow surface water to drain into one connection point of the public sewer instead of two connection points as approved previously.

The applicant wishes to connect to one connection manhole chamber SH44767101 at a discharge rate not exceeding 5 l/s. Welsh Water has confirmed that they are satisfied with one connection point for the surface water drainage.

No other changes are proposed as part of this planning application.

Conclusion

Welsh Water has confirmed that they are satisfied with one connection point for surface water drainage. It is therefore considered that the proposal is acceptable and condition (08) will be amended to reflect the one connection point.

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.

(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 MAO/2020/31 | YNL-RYD-00-XX-DR-L-0003 Rev 4 submitted with |
| Landscape Design Development | YNL-RYD-00-XX-DR-L-0001 submitted with FPL/2019/7 |
| Landscape Maintenance Strategy FPL/2019/7 | YNL-RYD-00-XX-DR-L-0002 submitted with |
| Landscape General Arrangement with MAO/2020/31 | YNL-RYD-00-XX-DR-L-2000 Rev 15 submitted |
| Planting Plan with MAO/2020/31 | YNL-RYD-00-XX-DR-L-5100 Rev 7 submitted |
| Boundary Treatment Plan | YNL-RYD-00-XX-DR-L-6000 submitted with FPL/2019/7 |
| External Compound Bin Store and Sprinkler Tank | YNL-RYD-00-XX-DR-L-7000 Rev 8 |
| Mitigation Pond Design MAO/2020/31 | YNL-RYD-00-XX-DR-L-7102 Rev 3 submitted with |
| Landscape General Arrangement (Welsh) FPL/2019/7 | YNL-RYD-XX-XX-DR-L-2001 submitted with |
| Proposed External Lighting Layout FPL/2019/7 | LLA_ESD_XX_XX_DR_E_5003 submitted with |
| Drainage General Arrangement VAR/2022/69 | YNL-HAL-XX-XX-DR-C-5006 Rev C5 submitted with |
| Drainage Long Section MAO/2020/31 | YNL-HAL-XX-XX-DR-C-5007 Rev P6 submitted with |
| Highways Section General Arrangement MAO/2020/31 | YNL-HAL-XX-XX-DR-C-5010 Rev P7 submitted with |
| GA Plan 00 Ground | YNL-LMA-01-00-DR-A-2000 Rev P15 |
| GA Plan 01 Roof MAO/2020/31 | YNL-LMA-01-RF-DR-A-2001 Rev P7 submitted with |
| GA Elevations with MAO/2020/31 | YNL-LMA-01-XX-DR-A-2010 Rev P13 submitted |
| GA Sections | YNL-LMA-01-00-DR-A-2020 submitted with FPL/2019/7 |
| GA Visualisations | YNL-LMA-01-00-VS-A-2100 submitted with FPL/2019/7 |
| Planning Statement MAO/2020/31 | YNL-LMA-XX-XX-RP-A-0002 submitted with |
| General Arrangement Plan 1 of 3 with MAO/2020/31 | YNL-RYD-00-XX-DR-L-2100 Rev 5 submitted |
| General Arrangement Plan 2 of 3 with MAO/2020/31 | YNL-RYD-00-XX-DR-L-2101 Rev 8 submitted |
| General Arrangement Plan 3 of 3 with MAO/2020/31 | 341-RYD-00-XX-DR-L-2102 Rev 3 submitted |
| Boundary and Gate Strategy with MAO/2020/31 | YNL-RYD-XX-XX-DR-L-6000 Rev 10 submitted |
| Surfacing and Edging Strategy with MAO/2020/31 | YNL-RYD-XX-XX-DR-L-6101 Rev 7 submitted |

**External Details
MAO/2020/31**

YNL-LST-00-XX-DR-L-7100 Rev 4 submitted with

Retained and Removal Planting 341-LST-00-XX-DR-L-5101 Rev 4 submitted with MAO/2020/31

Proposed External Lighting Layout – YNL-ESD-XX_XX-DR-E-5003 Rev P3

Retaining Wall Sections – YNL-LST-00-XX-DR-L-7101 Rev 3 – submitted with MAO/2020/31

Wildlife Garden 341-LST-00-XX-DR-L-2103 Rev 3 submitted with FPL/2019/7

Water Conservation Statement submitted with FPL/2019/7

Bat Activity/Transect Surveys submitted with FPL/2019/7

Construction Phase Plan submitted with FPL/2019/7

Site Noise Assessment submitted with FPL/2019/7

Tree Survey & Constraints Report submitted with FPL/2019/7

Transport Assessment Report submitted with FPL/2019/7

Preliminary Ecological Appraisal submitted with FPL/2019/7

Sustainability Strategy – LZC Assessment Report submitted with FPL/2019/7

Ecological Compliance Audit submitted with FPL/2019/7

Biosecurity Risk Assessment for works associated with Great Crested Newt, other amphibians, landscaping and pond creation. submitted with FPL/2019/7

Great Crested Newt Site Ecology Management Plan 2021 to 2046 submitted with FPL/2019/7

Phase I & II Geoenvironmental Report submitted with FPL/2019/7

Great Crested Newt Mitigation and Compensation Method Statement submitted with FPL/2019/7

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

(03) Tree ‘T2’ shown on TMN Arboriculture Tree Survey and Constraints Report shall be retained and shall be protected by strong fencing, the location and type to be previously approved in writing by the Local Planning Authority. The fencing shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the local planning authority.

Reason: To protect the existing tree identified to be retained.

Condition partially discharged under planning application DIS/2020/91.

(04) The site shall be landscaped strictly in accordance with YNL-RYD-00-XX-DR-L-0001 (Landscape Design Development) and YNL-RYD-00-XX-DR-L-2000 (Landscape General Arrangement), YNL-RYD-00-XX-DR-L-5000 (Planting Plan) and the YNL-RYD-00-XX-DR-L-6000 (Boundary Treatment Plan) within 12 months following completion, or first use of the development, whichever is the sooner. Trees and hedges that form of part of the landscaping scheme shall be retained for lifetime of the development hereby approved. Any trees or hedge plants 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 by plants of the same specification within 12 months.

Reason: To ensure that the development is implemented in accordance with the approved landscape and planting scheme. In the interests of the visual amenities of the locality.

(05) The development should cause no nuisance by dust, fumes, noise, odour or artificial light (Any construction works should be carried out between the following times - 0800 - 1800 hrs - Monday to Friday; 0800 - 1300 hrs, Saturday's and no working on Sunday's or Bank Holidays). In addition, it is recommended that the construction works be carried out in accordance with CIRIA Document - C650 C741, 2015 – Environmental Good Practice On Site (Fourth Edition).

Reason: In the interests of the amenities of neighbouring properties.

(06) Where it is necessary to prepare the site using pneumatic rock machinery the developer will be required to take all reasonable steps to prevent nuisance being caused to current occupiers of surround residences from noise vibration and dust.

Rock breaking should be confined to the hours of 0800 hrs to 1800 hrs Monday to Friday and 0800 hrs to 1300 hrs on Saturday. No works should be undertaken on Sunday's or Bank Holidays. Surrounding residents should be pre-notified of any noisy work and the likely duration of the works. Suitable and sufficient controls should be in place to control wind blown dust arising from rock stock piles.

Reason: In the interests of the amenities of neighbouring properties.

Condition discharged under planning application DIS/2020/90.

(07) If during redevelopment, materials is found or suspected of being contaminated, then the developer should undertake soil testing and analysis. If the land is found to be contaminated, then a suitable remediation strategy should be prepared for the site to the satisfaction of the Local Planning Authority.

Reason: To prevent pollution of the water environment.

(08) Surface water flows from the development shall only communicate with the public surface water network manhole chamber ref: SH44767101 as indicated on the extract of the Sewerage Network Plan attached to this decision notice) through an attenuation device that discharges at a rate not exceeding 5 l/s.

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.

(09) The development of the site as shown on the Sewerage Network Plan will involve certain conditions which must be strictly adhered to. These are:-

- **No structure is to be sited within a minimum distance of 10 metres from the centre line of these pipes. The pipeline must therefore be located and marked up accurately at an early stage so that the Developer or others understand clearly the limits to which they are confined with respect to the Welsh Water apparatus. Arrangements can be made for Welsh Water staff to trace and peg out such water mains on request of the Developer.**
 - **Adequate precautions are to be taken to ensure the protection of the water main during the course of site development.**
 - **If heavy earthmoving machinery is to be employed, then the routes to be used in moving plant around the site should be clearly indicated. Suitable ramps or other protection will need to be provided to protect the water main from heavy plant.**
 - **The water main is to be kept free from all temporary buildings, building material and spoil heaps etc.**
 - **The existing ground cover on the water main should not be increased or decreased.**
 - **All chambers, covers, marker posts etc. are to be preserved in their present position.**
 - **Access to Welsh Water's apparatus must be maintained at all times for inspection and maintenance purposes and must not be restricted in any way as a result of the development.**
- No work is to be carried out before Welsh Water has approved the final plans and sections.**

Reason: To protect the integrity of the public sewerage system and ensure prevention of pollution to the environment.

(10) The development will be carried out strictly in accordance with the mitigation measures described in the Bat Activity/Transect Surveys Report. If the plans are changed in ways that may

harm or disturb the bats or their resting places at this site works should cease immediately and the Local Planning Authority should be contacted.

Reason: To promote the biodiversity interests as part of the development and to assist in mitigation for the impacts of development on existing biodiversity on the site.

Condition partially discharged under planning application DIS/2019/83.

(11) The great crested newt mitigation and compensation measures will be carried out in strict accordance with the Great Crested Newt Mitigation and Compensation Method Statement and to the Local Planning Authority's and NRW's satisfaction.

Reason: To promote the biodiversity interests as part of the development and to assist in mitigation for the impacts of development on existing biodiversity on the site.

Condition partially discharged under planning application DIS/2019/83.

(12) The Great Crested Newt Site Ecology Management Plan 2021 to 2046 will be implemented to the Local Planning Authority's and NRW's satisfaction.

Reason: To promote the biodiversity interests as part of the development and to assist in mitigation for the impacts of development on existing biodiversity on the site.

Condition partially discharged under planning application DIS/2019/83.

(13) The post construction amphibian surveillance will be implemented to the satisfaction of the Local Planning Authority's and NRW's satisfaction.

Reason: To promote the biodiversity interests as part of the development and to assist in mitigation for the impacts of development on existing biodiversity on the site.

(14) The existing redundant gateway opening on the northern boundary of the site shall be removed and the boundary made good to match the existing/proposed boundary, before the school is brought into use.

Reason: In the interest of highway safety to prevent potential conflicting traffic movements.

(15) The development hereby approved shall not be brought into use until a Traffic Management/Travel Plan has been submitted to and approved in writing by the local planning authority to detail the management of traffic when the school is operational. The development shall thereafter proceed in accordance with the approved details.

Reason: In the interests of highway safety.

Condition discharged under planning application DIS/2019/55.

(16) No development shall commence until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the local planning authority. The CTMP shall include details of the management of construction traffic including deliveries, staff and visitor access and parking and the proposed design of the temporary site construction access and the programme / timetable for the implementation of the permanent roundabout site access.

Reason: In the interests of highway safety.

Condition discharged under planning application DIS/2020/90.

(17) No operation/use will take place until an assessment of the noise emissions of fixed plant and machinery has been undertaken to demonstrate compliance with the plant noise limits specified in the Site Noise Assessment submitted with the application.

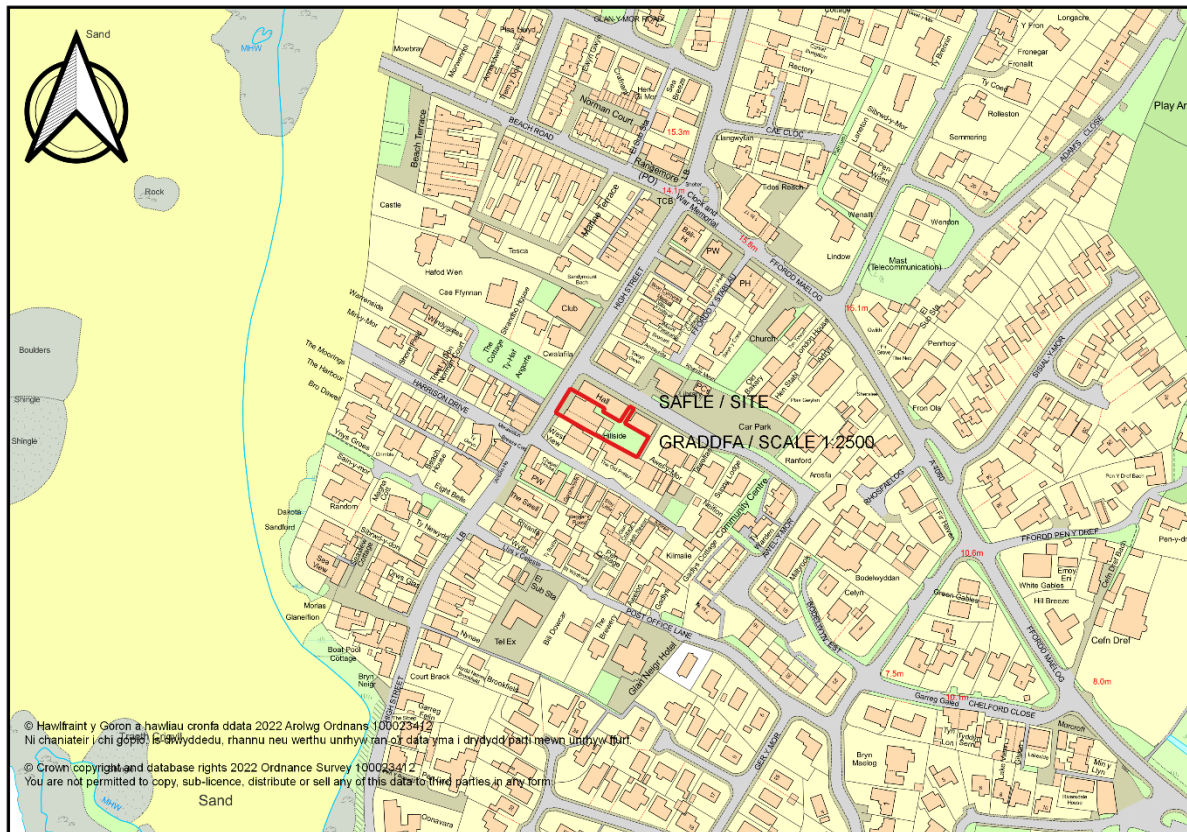
Reason: To prevent any adverse impact from noise on neighbouring residential receptors.

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, PCYFF4, PCYFF6, TRA4, PS4, PS5, PS6, PS19, ISA1, ISA2, AMG3, 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: VAR/2022/52**Applicant:** Mr Matthew Bullas

Description: Application under Section 73 for the variation of condition (02) (Approved plans), (03)(Operational hours), (04)(Delivery Hours) and (05)(Guest Check In Hours) of planning permission reference FPL/2021/317 (Full application for the demolition of an existing three-storey building comprising two residential flats and ground floor ancillary residential storage and the construction of a replacement three-storey building comprising two residential flats and a 10-room hotel with associated ground floor restaurant and water sports facility for guests and associated car parking) so as to allow amended operational/opening times to be conditioned at

Site Address: Cumbria & High Wind, High Street, Rhosneigr**Report of Head of Regulation and Economic Development Service (Colette Redfern)****Recommendation:** Permit**Reason for Reporting to Committee**

The application is presented to the Planning and Orders Committee at the request of the Local Member, Councillor Neville Evans.

Proposal and Site

The application site is located adjoining the high street within the centre of Rhosneigr. The property lies between the Village Hall and residential dwelling.

The application is to vary conditions (03), hours of operation, (04) delivery hours, (06) guest check in hours together with the variation of condition (02) approved plans so as to allow amendments to the external seating area.

Key Issues

The applications main issues are whether extending the operational hours of the restaurant, delivery hours and check in times for guests and amending the external seating area will have a detrimental impact on the amenities of neighbouring properties.

Policies

Joint Local Development Plan

Strategic Policy PS 1: Welsh Language and Culture
Strategic Policy PS 4: Sustainable Transport, Development and Accessibility
Policy TRA 4: Managing Transport Impacts
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 14: The Visitor Economy
Policy TWR 2: Holiday Accommodation
Strategic Policy PS 15: Town Centres and Retail
Policy MAN 1: Proposed Town Centre Developments
Policy MAN 3: Retailing Outside Defined Town Centres but Within Development Boundaries
Policy TAI 5: Local Market Housing
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
Policy AMG 5: Local Biodiversity Conservation

Supplementary Planning Guidance - Tourism Facilities and Accommodation - March 2021
Supplementary Planning Guidance - Local Market Housing (March 2019)
Supplementary Planning Guidance - Maintaining and Creating Distinctive and Sustainable Communities (July 2019)

Response to Consultation and Publicity

| Consultee | Response |
|---|---|
| Cyngor Cymuned Llanfaelog Community Council | No response to date |
| Cyfoeth Naturiol Cymru / Natural Resources Wales | No objection |
| Prifffyrdd a Trafnidiaeth / Highways and Transportation | No objection / informative regarding the ownership and use of footway |
| Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit | No comments |
| Tourism Partnership North Wales | No response to date |

| | |
|---|---|
| Iechyd yr Amgylchedd / Environmental Health | Standard comments regarding Health and Safety and Food preparation |
| Cynghorydd Neville Evans | Requested that the application be referred to the Planning and Orders Committee for determination |
| Cynghorydd Douglas Massie Fowlie | No response to date |

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 21/09/2022 and two letters of representations were received. However, following discussions with the applicant and the subsequent amendments to the proposed scheme, there is a duty to re-notify neighbours and the latest date for the receipt of any representation was 21/11/2022 and one additional letter was received at the department. The main issues raised can be summarised as follows;

- i. Deliveries should be restricted to daily working hours to stop confusion with guests parking at the rear.
- ii. The applicants justification for varying the hours of operation, delivery hours and guest check in is not a planning issue.
- iii. The development approved with the existing hours of operation will have a detrimental impact on the amenities of neighbouring properties.

In response to the issues raised;

- i. The application is to increase the allowed delivery hours from 09:00 -17:00 (Monday to Friday) and 09:00 - 13:00 (Saturdays) and no deliveries on Sundays and Bank Holidays. The current application is to vary the delivery hours to 08:00 - 18:00 (Monday - Friday) and 08:00 - 14:00 (Saturdays) and no deliveries on Sundays and Bank Holidays. It is not considered that extending the delivery hours one hour earlier and one hour later each day will have a detrimental impact on the amenities currently enjoyed by the occupants of neighbouring properties as the site is located along the High Street in Rhosneigr and in close proximity to similar establishments.
- ii. Whilst it is acknowledged that the applicants reason for submitting the application is that they considered that the proposal will not be viable with the current operational and opening hours however the application site is located next to the village hall which is located on the junction with a similar establishment known as Starvation. To the rear of Starvation is the public library and public car park. Due to its location off the High Street and in close proximity to similar establishment and other commercial premises the variation of hours of operation and delivery hours is considered acceptable.
- iii. It is not considered that the variation of the operational and delivery hours will have a detrimental impact on the amenities of surrounding properties that the existing hours.

Other matters were raised in regards to the practicalities of allowing guest check ins when previous night guests have not vacated the premises and provided details of a similar establishment in Four mile Bridge which is for sale at present.

Relevant Planning History

28C83 - Change of Use of ground floor property into a motor car sales showroom at Tea Caddy, High Street, Rhosneigr- Approved 21/10/1987

28C83A - Formation of a new shopfront at Tea Caddy, High Street, Rhosneigr- Approved 06/02/1989

LUE/2021/22 - Application for a Lawful Development Certificate for the existing use of two residential flats (Class Use C3) as approved under planning permission reference V/1689a together with the use of the existing ground floor of the building as ancillary residential purposes for the two flats at Cumbria & High Wind, High Street, Rhosneigr - Lawful 25/11/2021

FPL/2021/317 - Full application for the demolition of an existing three-storey building comprising two residential flats and ground floor ancillary residential storage and the construction of a replacement three-

storey building comprising two residential flats and a 10-room hotel with associated ground floor restaurant and water sports facility for guests and associated car parking at Cumbria and High Wind, High Street, Rhosneigr - Approved 13/07/2022

Main Planning Considerations

The applications main issues are whether the change in the operational and delivery hours and amending the external seating area will have a detrimental impact on the amenities of neighbouring properties.

Policy Context – Policy PCYFF2 of the Joint Local Development Plan states that a proposal should demonstrate its compliance with;

1. Relevant policies in the plan;
2. National planning policy and guidance...

Additionally, planning permission will be refused where the proposed development would have an unacceptable adverse impact on:

7. The health, safety or amenity of occupiers of local residences, other land and property uses or characteristics of the locality due to increased activity, disturbance, vibration, noise, dust, fumes, litter, drainage, light pollution, or other forms of pollution or nuisances;...

Impact on surrounding properties and surrounding area - As stated above the site fronts the High Street in Rhosneigr and is situated between the Village Hall and residential dwelling. The Village Hall is located on the junction which runs from the High Street to the public car park and private dwellings. On the opposite side of the junction is the establishment known as Starvation. Approximately 38 metres to the north of the application site, on the opposite side of the road, is the establishment known as Sandy Mount which is a similar establishment to the current proposal. On the opposite side of the road, to the north west west of the application site and at a distance of approximately 14 metres is a terrace of commercial properties such as hairdressers, ice cream parlour and chemist.

There is a residential property immediately opposite the application site and two semi-detached properties located next to the application site.

Variation of condition (02) (approved plans) - Whilst planning permission FPL/2021/317 did not restrict the hours that guests could make use of the external seating area it was considered that the current proposal to amend the hours of operation of the restaurant would be unacceptable if guests were allowed to use the external seating area at the same time. The applicant was advised that we could not support the scheme unless a separate condition could be placed on the hours of use of the external seating area and that the external seating area was amended to remove the table that was located along the boundary of the site with the adjoining property. Following discussions with the applicants agent the scheme has been amended and is considered acceptable and will be a improvement to the previously approved scheme. A condition will be imposed on the permission restricting the hours of use of the external seating area to 07:00 - 20:00 (Sunday - Thursday and Bank Holidays) and 07:00 - 21:00 (Fridays and Saturdays).

Variation of condition (03) (operational hours of restaurant) of planning permission FPL/2021/317 - The existing operational hours of the restaurant from 07:00-20:00 (Monday to Friday) and 07:00 - 21:00 (Saturdays, Sundays and Bank Holidays). Originally the current application sought to amend the hours to 07:00 - 23:00 (Monday to Saturdays) and 07:00 - 22:30 (Sundays and Bank Holidays). Following negotiations with the applicants agent the amend hours proposed are 07:00 - 22:00 (Sundays - Thursday and Bank Holidays) and 07:00 - 23:00 (Fridays and Saturdays). Bearing in mind the location of the site on the busy High Street and in close proximity to similar establishments and commercial properties it is not considered that increasing the hours will have a detrimental impact on the amenities of neighbouring properties.

Variation of condition (04) (deliveries) - The proposal seeks to amend the hours of delivery by 1 hour earlier and 1 hour later per day. As stated above the site is located fronting the busy High Street in close

proximity to other commercial properties and allowing deliveries from 08:00 - 18:00 (Monday to Friday) and 08:00 - 14:00 (Saturdays) will not have a detrimental impact on the amenities of neighbouring properties.

Variation of condition (05) (guest check-ins) - Condition (05) of planning permission FPL/2019/317 restricted the hours that guests could check into the hotel to hours of 08:00 - 21:00. It is considered that allowing guests to check into the establishment during the operational hours of the restaurant is acceptable and will not adversely affect the amenities of the surrounding properties.

Conclusion

The variation of hours of operation and delivery hours will not have a detrimental impact on the amenities of the neighbouring properties and the proposal therefore complies with Policy PCYFF 2 of the Anglesey and Gwynedd Joint Local Development Plan.

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 – EX-001 Rev A
 - Proposed Elevations – P-201 Rev E
 - Proposed Elevations P-202 Rev D
 - Proposed Site Plan – P-002 Rev H
 - Site Section – P-301 Rev B
 - Basement Floor Plan – P-100
 - Ground Floor Plan – P-101 Rev H
 - First Floor Plan – P-102 Rev H
 - Second Floor Plan – P-103 Rev F
 - Roof Plan – P-104 Rev F
- * Planning Statement - Emery Planning dated 29/7/2022

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

(03) The restaurant shall not be operational outside the hours of 07:00 to 22:00 on Sunday - Thursday and on Bank Holidays, 07:00 – 23:00 on Fridays and Saturdays and no sale of food or drink shall take place outside of these hours.

Reason: To protect the amenities of nearby residential occupiers.

(04) Deliveries to the site shall not be carried out outside the hours of 08:00 – 18:00 Monday to Friday, 08:00 – 14:00 on Saturdays. No deliveries shall be undertaken on the Sundays or Bank Holidays.

Reason: To protect the amenities of nearby residential occupiers.

(05) Guests of the Hotel hereby approved shall not check into the Hotel outside the hours of 07:00 to 22:00 Sunday - Thursday and on Bank Holidays, 07:00 - 23:00 on Fridays and Saturdays.

Reason: To protect the amenities of nearby residential occupiers.

(06) The shop and rental space shall be used incidental to the enjoyment of the guests of the Hotel and shall not be used for commercial purpose to members of the public.

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

(07) The enhancement and mitigation measures outlined within the Bat Scoping Survey Report shall be carried out in accordance with the approved detail and implemented prior to use hereby approved is commenced.

Reason: In the interest of protected species.

(08) Other than the two flats on the second floor of the building hereby permitted, all remaining parts of the building shall be used only as a hotel within class C1 in the schedule to the Town and Country Planning (Use Classes) Order 1987 and restaurant and no part of the hotel or restaurant shall be used as the main or sole residence for any person.

Reason: To define the scope of this approval.

(09) The owners/operators shall maintain an up to date register of the names of all occupiers of the hotel including their main home addresses and shall make this information available to the Local Planning Authority within 14 days of being requested by the Local Planning Authority.

Reason: To ensure the approved Hotel is not used for unauthorised permanent.

(10) Demolition or 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 amenity

(11) No development shall commence until a scheme detailing all external lighting has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed to ensure that there is no light spillage onto any surrounding land or properties and shall include full details of all light including luminaire, lamp, beam widths and any anti – glare hoods to be used. The development shall be carried out in accordance with the approved scheme.

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

(12) 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.

(13) The access shall be retained for as long as the development remains in existence. With a 36 metre splays to the left and 25 metres to the right. 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 intersvisibility between the access and the existing public highway for safety and convenience of users.

(14) The units hereby approved shall be occupied until the car parking and turning area are laid out and completed in accordance with Drawing no. P-002 Rev G. The turning area shall thereafter be kept available for the parking of vehicles / manoeuvrability in perpetuity and for the lifetime of the development.

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.

(15) No access pedestrian or vehicular other than that indicated on the submitted plan shall be used in connection with the proposed development.

Reason – To limit the number of access points from the development for the safety and convenience of highway users.

(16) 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.

(17) No development shall commence, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i. the parking of vehicles of site operatives and visitors;**
- ii. loading and unloading of plant and materials;**
- iii. storage of plant and materials used in constructing the development;**
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;**
- v. wheel washing facilities;**
- vi. measures to control the emission of dust and dirt during demolition / construction;**
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works;**
- viii. details of all machinery being used including measures to control noise, vibration and pollution control impacts and mitigation**

The approved Demolition Method Statement shall be adhered to throughout the demolitions and construction period for the development.

Reason: To protect the amenity of nearby occupants

(18) The use hereby approved shall not commence until full details of the ventilation and extractor apparatus including a noise report detailing the level of noise being emitted is submitted to and approved in writing by Local Planning Authority. The ventilation and extractor apparatus shall be fitted and be fully operational in accordance with the submitted details including any mitigation measures prior to the use being commenced. If the apparatus needs to be replaced/changed for whatever reason the replacement shall be of the same detail.

Reason: To protect the amenities of nearby residential occupiers.

(19) Prior to the use hereby being commenced, obscure glazed panels of 1.8 metres in height shall be provided on the balconies / roof terraces as identified on drawing numbers P-201 Rev E, P-202 Rev C, P-301 Rev B, P-102 Rev H, P-104 Rev F. The screens shall be permanently retained in that

position thereafter. If the screens needs to be replaced/changed for whatever reason the replacement shall be of the same detail.

Reason: In the interest of amenity.

(20) No customers shall be permitted to make use of the external seating area, as hatched in green on the attached plan, (drawing number P-002 - Rev H) outside the hours of 07:00 to 20:00 on Sunday - Thursday and on Bank Holidays and 07:00 – 21:00 on Fridays and Saturdays.

Reason: To protect the amenities of nearby residential occupiers.

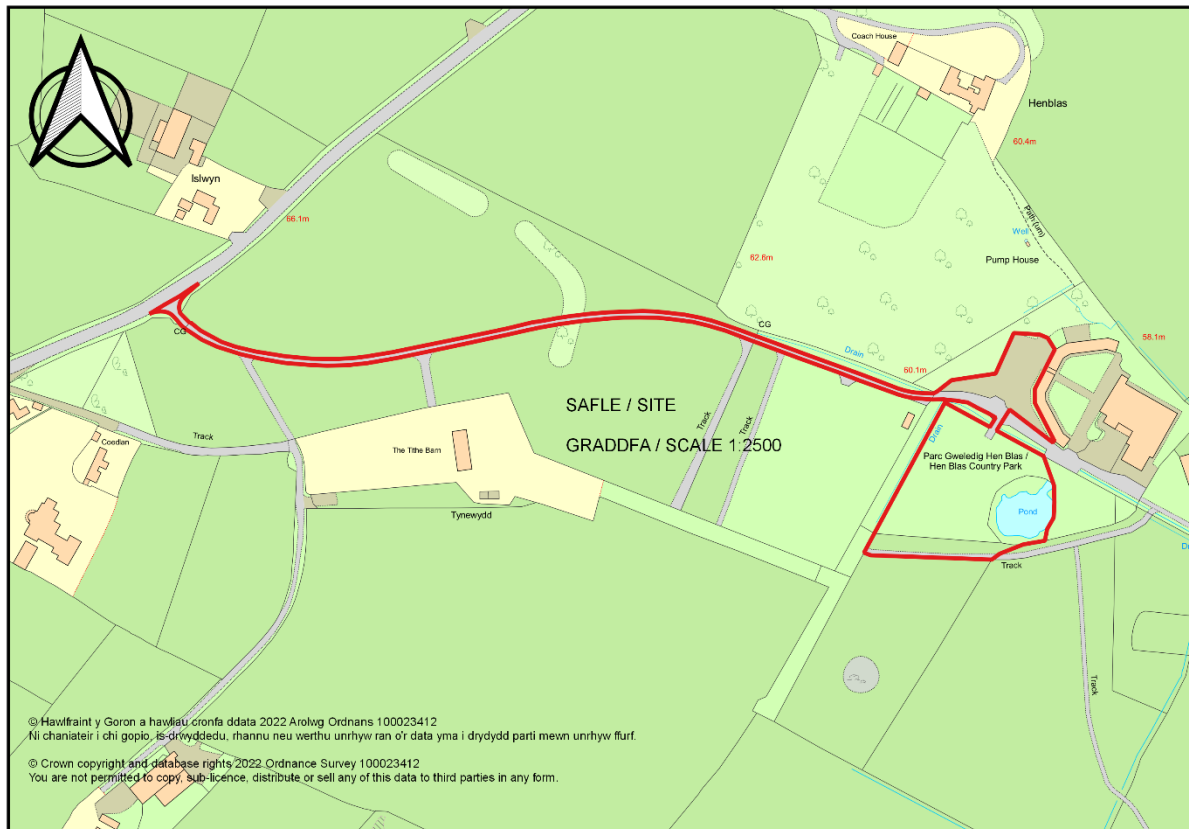
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2022/247

Applicant: Mrs. Heather Barrett

Description: Full application for the construction of 10 accommodation units for wedding guests along with associated works at

Site Address: Henblas Country Park, Bethel , Bodorgan



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

Recommendation: Permit

Reason for Reporting to Committee

The application is presented before the planning committee at the request of local members Nicola Roberts and Geraint Bebb.

Proposal and Site

The site is located in the open countryside of the Llangristiolus area which is also part of the Malltraeth Marsh and surrounds Special Landscape Area as defined under the provisions of the Joint Local Development Plan. The site is roughly 1.6km to the south west of Llangristiolus, with access afforded to the site via a private track leading from the B4422 which leads to Newborough from the A5 in

Rhostrehwfa. The application site itself is currently part of an agricultural enclosure and closely adjoins the Henblas wedding venue. Site boundaries to the North and West are well defined by mature hedges and trees, with the northern and eastern aspects of the site being more open in nature. A substantial pond is also present to the east of the site. Local topography intervenes views of the site from the B4422 highway to the North west and also from the nearby un-named single width country lane to the South East of the site. A public footpath runs directly above and outside of the application site, which begins at the site access and then runs to the general eastern direction, providing access to the open countryside beyond the site.

The application is made for the siting of 10 accommodation units together with associated amenity building which will be used incidentally to the wedding venue already in existence on the site. The accommodation units will measure 5.5L x 5.0W x 3.2H (Metres) and will be finished in predominantly box profile sheeting, with the exception of the front elevation which will be black weatherboarding. The amenity unit will also be finished in the same materials, but will be a slightly larger unit at 10L x 6W x 3.2H. The units will sit on a wooden frame which is attached to the ground via ground screws. Access to each individual unit will be provided via a 1.2 metre wide gravel footpath.

Key Issues

The key issues are the schemes conformity with the relevant policy of the Joint Local Development Plan together with the acceptability of other material considerations such as ecological matters and highways issues etc.

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 AMG 2: Special Landscape Areas

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

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

| Consultee | Response |
|--|---|
| Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit | Confirmation PS 13 and CYF 6 are the relevant policies. |
| Ymgynghorydd Treftadaeth / Heritage Advisor | Proposal is well screened from nearby Listed Building and would not effect its setting. |
| Iechyd yr Amgylchedd / Environmental Health | General comments regarding pollution prevention measures. |
| Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor | Satisfied with enhancement measures. |
| Prifffyrdd a Trafnidiaeth / Highways and Transportation | No objection |

| | |
|---|------------------------|
| Cyngor Cymuned Llangristiolus Community Council | No response |
| Cynghorydd Nicola Roberts | Called in to committee |
| Cynghorydd Geraint Ap Ifan Bebb | Called in to committee |

Publicity was afforded to the scheme by the posting of personal letters to occupiers of nearby properties together with the placing of an advert in the local press. The latest date for representations to be made was the 02/11/2022. At the time of writing this report, no letters of representation had been received in response to this publicity.

Relevant Planning History

36C50U/ECON - Full application for the conversion of outbuildings into a wedding venue together with 10 accommodation units at Parc Henblas, Llangristiolus Permit 05/11/2018

Main Planning Considerations

Principle of Development

As mentioned earlier in this report, the accommodation units will be used incidentally to the wedding business which already exists on the site and as such it is not considered that the units are for holiday use. Due to the above, the scheme is considered under policy PS 13 and CYF 6 of the Joint Local Development Plan as opposed to TWR 3. Point 4 of Policy PS13 aims to support the 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. The units are small scale and are not disproportionate to the scale of the existing site/business and therefore the department consider the proposal to be of appropriate scale and siting. The planning support statement states that the most common feedback received from guests was the wish for more accommodation on site. This scheme will therefore allow the expansion of the business in line with clientele demand.

Policy CYF 6 of the JLDP supports proposals for the establishment of new businesses provided:

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 an use that conflicts with nearby uses or has an impact on the viability of similar uses nearby.

As mentioned, the scheme will be part of an existing enterprise and will support the prosperity of the business by allowing it to meet the demands of the existing customer base. The scheme is not for holiday purposes and therefore would not conflict with nearby such uses. The units are small scale in nature, with each unit made to cater for 2 people only, which equates to 20 guests overall.

The site is located in the defined SLA and therefore permanent holiday accommodation units such as what is proposed would not be considered acceptable under the provisions of policy TWR 3. In light of this and to ensure that no inappropriate uses do not take place in this location, a condition will be included on the consent which restrict the use to being incidental the the wedding venue only and not for independent holiday use at any time.

Highways

Part 3 of policy TRA1: Transport Network Developments, states that proposals for large-scale development or developments in sensitive areas that substantially increase the number of journeys made by private vehicles will be refused unless they include measures as part of a Transport Assessment and/or a Travel Plan. Where the Transport Assessment reveals the need for a Transport Implementation Strategy this will need to be secured through a planning obligation.

National planning guidance stipulates, where appropriate, new developments should be accessed by various modes of transport. Para 3.39 of PPW (Edition 11) states as follows:-

“For most rural areas the opportunities for reducing car use and increasing walking, cycling and use of public transport are more limited than in urban areas. In rural areas most new development should be located in settlements which have relatively good accessibility by non-car modes when compared to the rural area as a whole. Development in these areas should embrace the national sustainable placemaking outcomes and, where possible, offer good active travel connections to the centres of settlements to reduce the need to travel by car for local journeys.”

Paragraph 3.15 of Technical Advice Note (TAN) 18: Transport, states that tourism proposals, particularly in rural areas, should demonstrate access by a choice of modes to avoid locking in the requirement for travel by car, and, in rural areas a lack of public transport access needs to be balanced against the contribution tourism makes to the rural economy in the specific area.

Paragraph 3.11 states that development in rural locations should embody sustainability principles, balancing the need to support the rural economy, whilst maintaining and enhancing the environmental, social and cultural quality of rural areas. The JLDP has sustainable development at its core, therefore consideration needs to be given as to whether this development embodies the principles of sustainable development given its location, scale and the lack of public transport links.

The scheme will reduce the number of journeys to/from the site as individuals staying in the accommodation would be attending events on site at time of using the accommodation in any event. As such, it is considered that a transport assessment is not required as part of this scheme.

Visual Impacts/Design

The application site is within the designated Malltraeth Marsh and Surrounds SLA and therefore it is required that the scheme conforms with policy AMG 2. AMG 2 states that there will be a need to give appropriate consideration to the scale and nature of the development ensuring that there is no significant adverse detrimental impact on the landscape and that development should aim to maintain, enhance or restore the recognised character and qualities of the SLA. As mentioned above, the site is not visible from the public highway due to local topography and mature vegetation, with the mature vegetation also providing an effect screen to reduce the prominence of the development when viewed from the public footpath directly outside of the site. The units themselves have been designed to imitate agricultural type buildings which will ensure they are sympathetic in their appearance to the land use surrounding the site. The proposal would not effect the important views from the footpath which are to the south/south-east towards the mountainous mainland. Due to well screened and secluded nature of the site, it is considered that the scheme would have minimal impact upon the SLA and at minimum maintain the present character and qualities of the SLA.

Ecology

Under policy AMG 5 of the JLDP and the Councils duty under The Environment Wales Act (2016), all proposals are required to demonstrate a net gain to biodiversity. Having carried out an appropriate ecology survey as part of the application documentation, the following suggestions were made in terms of mitigation/enhancement measures:

- 2 bird boxes

- Buffer area around existing trees
- Vegetation buffer around pond
- Reptile refugia
- Basking area for reptiles
- New native hedgerow
- New tree plantings
- Wildflower meadow

The proposed measures were considered appropriate by the local authority ecology officer and as such the department are satisfied that the scheme will result in a net gain to site biodiversity.

Conclusion

The scheme conforms with the relevant policy of the Joint Local Development Plan and would not be to the detriment of the visual amenities of the area which is a part of the designated Special Landscape Area. No valid reasons for refusal were encountered and therefore the scheme is recommended for approval.

Recommendation

That the application is permitted subject to the following conditions:

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

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

(02) 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 / OBS-2022-006 GA001 Rev B
- Proposed Block Plan / OBS-2022-006 GA002 Rev B - 05/09/2022
- Proposed Accommodation Unit / OBS-2022-006 GA003 Rev A
- Proposed Accommodation Unit Handed / OBS-2022-006 GA004 Rev A
- Proposed Amenity Building / OBS-2022-006 GA005
- Existing and Proposed Site Sections / OBS-2022-006 GA006
- Topographical Survey / OBS-2022-006 TS001 Rev B

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

(03) The development hereby permitted shall be used only as incidental accommodation for guests attending a wedding in the adjoining wedding venue annotated on the location plan (Ref: OBS-2022-006 GA 001 Rev B) and not for holiday purposes at any time.

Reason: To define the scope of this permission.

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, CYF 6, AMG 2, AMG 5, PS 13, PS 20.

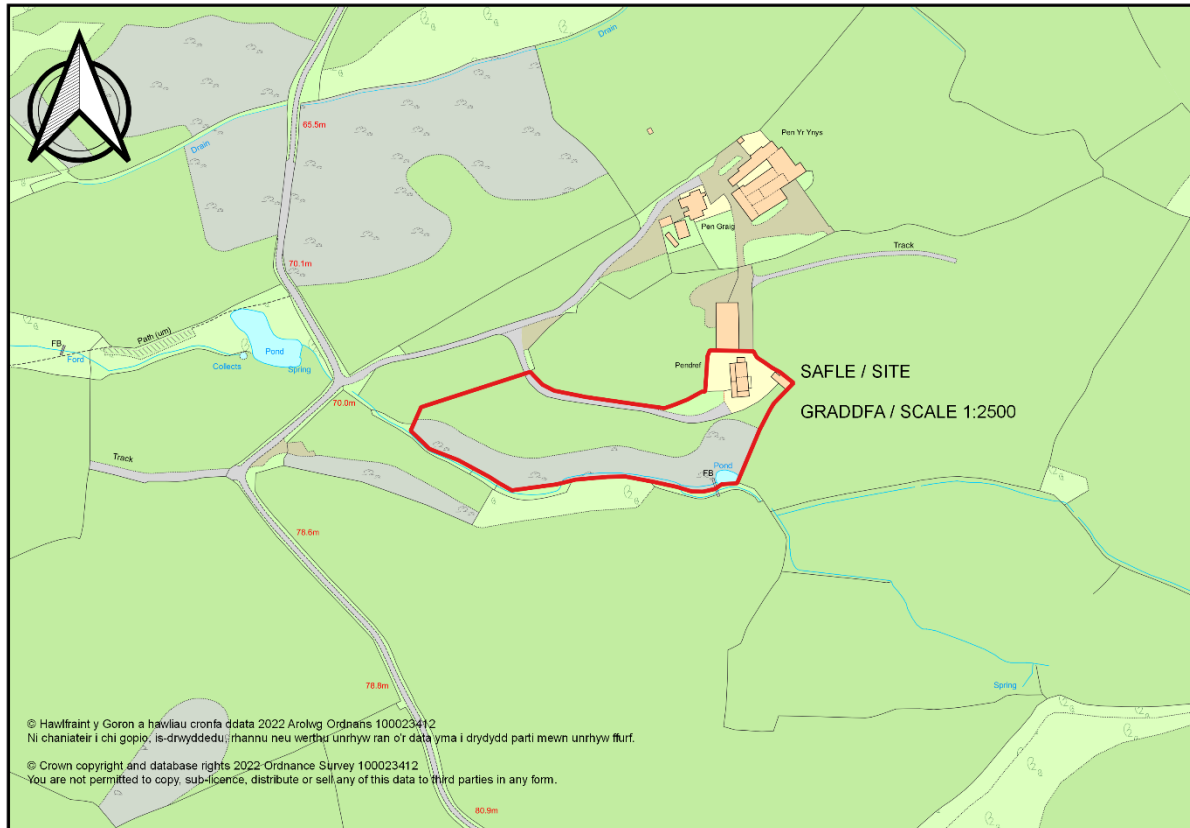
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2022/195

Applicant: Mr John Edward Holland Roberts

Description: Full application for the erection of an 13.5m high, 5kW wind turbine at

Site Address: Pendref, Llanfairynghornwy



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

Recommendation: Permit

Reason for Reporting to Committee

The application is presented before the planning committee at the request of Local Member Jackie Lewis.

Proposal and Site

The site is located in the coastal open countryside of the Llanfairynghornwy area which is also part of the defined Area of Outstanding Natural Beauty. Access is afforded to the site via a private single width track which is also means of access for 2 other properties. The application site is currently part of an agricultural enclosure which is in close proximity to the applicants dwelling and adjoins the access track to the property. Highly undulating topography is typically characteristic of the area, with the application site being at a higher elevation than the public highway but is currently screened from view by the hilly

topography. Both the access road and agricultural enclosure include public footpaths which will pass in close proximity to the application site. The application is made from the erection of a domestic wind turbine which is 14.75 metres overall in height and 12 metres to the top of the hub.

Key Issues

The key issues of the scheme are it's compliance with relevant policies together with the visual impact of the scheme upon the Area of Outstanding Natural Beauty.

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 ADN 1: On-shore Wind Energy
 Policy AMG 1: Area of Outstanding Natural Beauty Management Plans
 Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
 Policy AMG 5: Local Biodiversity Conservation
 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 19: Conserving and Where Appropriate Enhancing the Natural Environment
 Policy AMG 1: Area of Outstanding Natural Beauty Management Plans
 Policy AMG 5: Local Biodiversity Conservation
 Policy ADN 1: On-shore Wind Energy

Response to Consultation and Publicity

| Consultee | Response |
|--|--|
| Cyfoeth Naturiol Cymru / Natural Resources Wales | No objection |
| Iechyd yr Amgylchedd / Environmental Health | Standard informatives |
| Swyddog Hawliau Tramwy Cyhoeddus/ Public Rights of Way Officer | No response. |
| Cynghorydd Jackie Lewis | Called to committee |
| Cynghorydd Llinos Medi Huws | No response |
| Cynghorydd Llio Angharad Owen | No response |
| Cyngor Cymuned Cylch y Garn Community Council | No response |
| Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor | General comments regarding ecology |
| Diogelu – Y Weinyddiaeth Amddiffyn / MOD Safeguarding | Condition |
| Ymgynghorydd Tirwedd / Landscape Advisor | Scheme will have localised visual impacts. |

Publicity was afforded to the scheme via the posting of personal letters to occupiers of neighbouring properties. The latest date for representations to be made in response to the publicity was the 21st September 2022. At the time of writing this report, 2 letters of objection had been received, the contents of which will be addressed later in this report.

Relevant Planning History

None.

Main Planning Considerations

Principle of Development

The principle of such development is considered under policy ADN 1 (Onshore Wind Energy) of the Joint Local Development Plan. ADN 1 support the erection of wind turbines within the AONB providing that they are of a domestic scale only. Domestic is defined under table 9 of the JLDP in accordance with the following criteria:

- Single turbine applications
- Turbine up to 15m to blade tip
- Turbine may be roof-mounted or pole mounted

The application is made for a single 14.75m high turbine which will be pole mounted and used to supply a residential property and as such the department are satisfied the turbine is classed as domestic scale. Additionally to this, ADN 1 states that all proposals should conform to the following criteria:

- All impacts on landscape character, heritage assets and natural resources have been adequately mitigated, ensuring that the special qualities of all locally, nationally and internationally important landscape, biodiversity and heritage designations, including, where appropriate, their settings are conserved or enhanced;
- The proposal will not result in significant harm to the safety or amenity of sensitive receptors including effect from noise, shadow flicker and impact on public health, and will not have an unacceptable impact on roads, rail or aviation safety;
- The proposal will not result in significant harm to the residential visual amenities of nearby residents;
- The proposal will not result in unacceptable electromagnetic interference to communications installations, radar or air traffic control systems, emergency services communications or other telecommunication systems;
- The proposal will not have unacceptable cumulative impacts in relation to existing wind turbines, and those which have permission, and other prominent landscape features;
- Turbines and associated infrastructure will, at the end of the operational life of the facility, be removed in accordance with a restoration and aftercare scheme submitted to and agreed by the Local Planning Authority.

As mentioned above, the application site is located in the designated Anglesey Coastal Area of Outstanding Natural Beauty and is described as being a hilly area rising from sea with unspoilt, clear landmarks and attractive views which are considered of high value by LANDMAP. LANDMAP describes the characteristics of the area as follows:

'This area of upland is on the north-west tip of Anglesey, rising from the coast to 170m. It is distinctly more craggy than the adjacent lowland and has scattered outcrops of rocks, with gorse and stone walls, plus an area of forestry. Small winding roads give access to scattered farms and the small linear village of Llanfairynghornwy the eastern edge. From the high points there are 360 degree views, including to the Skerries off Carmel Head. Its coastal location adds to its interest'. The application documentation included the submission of a photomontage with an annotation included which was indicative of the scale/position of the turbine from each view. The photomontage included views from various points within the locality of the site including footpaths and public highways. Whilst the scale of the turbine shown in the photos was

not entirely accurate, the close proximity of the turbine to the dwelling was sufficient to allow the department to make an accurate assessment of the height in relation to the dwelling. From the photos, it is evident that the turbine will be most visible from the public footpath which runs in close proximity and up the site access. In close proximity, the turbine will be viewed against the skyline and would appear as some of the only vertical development in the area which is otherwise unspoilt. As such, the department are of the opinion that the scheme would have some localised effects and would poorly integrate due to the open and undeveloped nature of the landscape. This opinion was also shared by the local authority landscape officer. From further afield however, the turbine would be seen against the backdrop of the hilly topography and other local farms/dwelling, which have their associated infrastructure such as telegraph poles. When viewed from Mynydd y Garn, the turbine would also be seen against the backdrop of the forestry at Carmel Head. The pole of the turbine is similar in diameter to telegraph poles and as the blades are smaller and faster moving when compared to industrial scale turbines, it is not considered that the turbine would be a prominent feature within the landscape when viewed from a wider context. As such, the department consider that the AONB special qualities are not negatively impacted to an extent that would warrant refusal or that would run contrary to the thrust of ADN 1. Further to this, NRW had no objections to the scheme and from a landscape point of view only stated that due to the scale and location of the development they do not consider that the scheme would have a significant impact on the AONB.

The turbine is located some 120m from the nearest neighbouring property and there are no lights which would backlight the turbine and cause flickering or impact any other sensitive receptors. The residential properties to the north of the site include both coastal views and views of Mynydd y Garn and are considered the high value views. The turbine would not interfere with these views and would appear against the background of local hills only. The application states that the annual average windspeed for the site is 27kph and at which the turbine would generate 45dB of noise at a distance of 40m. Welsh Government Practice Guidance, Planning Implications of Renewable and Low Carbon Energy 2011 paragraph 3.4.6 Noise and vibration, indicate that the aerodynamic noise, of a domestic turbine at 45dB is generally unobtrusive in nature, having been described as similar to the noise of wind in trees. Having consulted with previous applications considered under policy ADN 1, a condition is usually placed upon the consent which limits the noise emissions of the turbine, however in this circumstance it is not considered that this condition would serve a useful planning purpose as the nearest neighbouring property is some 120m away.

A response was received from the Ministry of Defence in relation to the scheme and it was expressed that they have no objection in principle to the scheme provided that a condition was included on the consent which required the applicant to notify the MOD of when the turbine is to be erected. There are no other wind turbines in the immediate context of the site, with the nearest other domestic turbine being out of view on the opposite side of Mynydd y Garn and therefore there would be no cumulative impacts. A condition would be included on the consent which requires the removal of the turbine at the end of its operational lifespan.

further to the above, Technical Advice Note 8 (Planning for Renewable Energy) states that onshore wind power offers the greatest potential for an increase in the generation of electricity from renewable energy in the short to medium term and therefore plays an important role in meeting the governments renewable energy targets.

Visual Impact and Area of Outstanding Natural Beauty Effects

The location of the site within the AONB necessitates the schemes compliance with policy AMG 1 of the JLDP which states '*Proposals within or affecting the setting and/ or significant views into and out of the Areas of Outstanding Natural Beauty must, where appropriate, have regard to the relevant Area of Outstanding Natural Beauty Management Plan*'. The AONB management notes the following (relevant) points:

CCC 3.1 All development proposals within and up to 2Km adjacent to the AONB will be rigorously assessed to minimise inappropriate development which might damage the special qualities and features of the AONB or the integrity of European designated sites.

CCC 3.2 All new developments and re-developments within and up to 2Km adjacent to the AONB will be expected to adopt the highest standard of design, materials and landscaping in order to enhance the special qualities and features of the AONB. Proposals of an appropriate scale and nature, embodying the principles of sustainable development, will be supported.

As mentioned above in the report, it is not considered that the scheme would have any significant effects on the wider landscape or damage its special qualities to an extent that would contravene policies ADN 1 or AMG 1. Any visual effects will be limited to the immediate locality of the site, which in itself is an inherent trait of all such proposals due to the site criterion required for such apparatus to be effective. Higher average windspeeds are required for turbines to work effectively, with this corner of the island being of particularly higher windspeeds due to its open, elevated and coastal nature. The turbine is considered to be sufficiently close to the existing dwelling to ensure it relates well and does not appear as a standalone/separate entity, i.e it is considered it is evident the turbine is to serve the domestic needs of Pendref. Due to the above, it is considered the scheme aligns with the thrust of AMG 1.

Issues Raised in Letters of Objection

At the time of writing this report, 4 letters of representation had been received which all raised objections to the scheme. The points of concern can be summarised as below:

- Impact upon appearance of AONB.
- Loss of privacy and peace to nearby holiday accommodation users.
- Loss of views.
- Turbine does not relate well as it's in the middle of a small field.

In response to these points:

- Having considered the scheme against the relevant policy (AMG 1), it is not considered that the proposal runs contrary to the aims and objectives of the AONB management plan. The turbine is a small scale domestic turbine which is sat upon a relatively thin diameter mast and will include small fast moving blades and as such it is not considered that the scheme would be visually harmful to an extent that would justify refusal. It is acknowledged that there will be localised visual impact, however it is not considered this would go above and beyond to an extent that would impact the characteristics of the AONB or run contrary to the principle of policies ADN 1 and AMG 1. Due to the requirements for a turbine to be effective, these localised visual impacts are inherent but the department would emphasise that it is not considered that there are any wider landscape visual impacts and this was also agreed by Natural Resources Wales.
- The turbine is located a significant distance from nearby dwellings/holiday accommodations and as such it is not considered that it would impact their amenities to an extent that would contravene policy PCYFF 2, which states proposals will be refused where they would have an unacceptable negative impact upon residential amenity. It must be noted that the turbine is for domestic use only and therefore would not generate the same level of journeys to/from the site as national grid infrastructure.
- Views are not a material planning consideration.
- The turbine is 44 metres away from the dwelling and 17 metres from the residential curtilage of Pendref, which is considered a reasonable distance where it is not damaging to the amenities currently enjoyed by the applicant. The local authority cannot reasonably expect such structures to be accommodated within limited curtilages and as such the department are satisfied the turbine has been placed in the closest position to the dwelling as practical.

Conclusion

The department are satisfied that the relevant policies have been conformed with and that the scheme will not give rise to any unacceptable visual impacts in a wider landscape context.

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 / Landscape and Visual Impact Maps and Photos**
- **Proposed Site Plan / TQRQM22210143308191**
- **Proposed Plans / 0140-AD-00626 01**

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

(03) The consent hereby given shall be for a period of 25 years from the date of the first generation of electricity from the development. Written confirmation of the date of the first generation of electricity from the development shall be submitted to the Local Planning Authority in writing no later than one calendar month after the event.

Reason: To comply with the Town and Country Planning Acts.

(04) No later than 12 months before the expiry of the 25 year operational period of this permission, a scheme for the restoration of the site, that includes the removal of the turbine and all associated equipment from the land shall be submitted in writing to the Local Planning Authority for their approval. The approved scheme and removal of the turbine and all associated equipment from the land shall be carried out not later than six months following the expiry of this permission.

Reason: To comply with the Town and Country Planning Acts.

(05) The turbine hereby permitted shall be removed from the site and the land restored to its former condition in the event that it is non-operational for a continuous period of six months.

Reason: In the interest of visual amenity.

(06) The electricity generated by the turbine to the farm and/or grid shall be by connected by means of underground cable only.

Reason: In the interest of visual amenity.

(07) The undertaker must notify the Ministry of Defence, at least 14 days prior to the commencement of the works, in writing of the following information:

- a) the date of the commencement of the erection of wind turbine generators;
- b) the maximum height of any construction equipment to be used in the erection of the wind turbines;
- c) the date any wind turbine generators are brought into use;
- d) the latitude and longitude and maximum heights of each wind turbine generator, and any anemometer mast(s).

The Ministry of Defence must be notified of any changes to the information supplied in accordance with these requirements and of the completion of the construction of the development.

Reason: To maintain aviation safety.

The development plan covering Anglesey is the Anglesey and Gwynedd Joint Local Development Plan (2017). The following policies were relevant to the consideration of this application: PCYFF 1, PCYFF 2, PCYFF 3, PCYFF 4, AMG 1, PS 19, ADN 1.

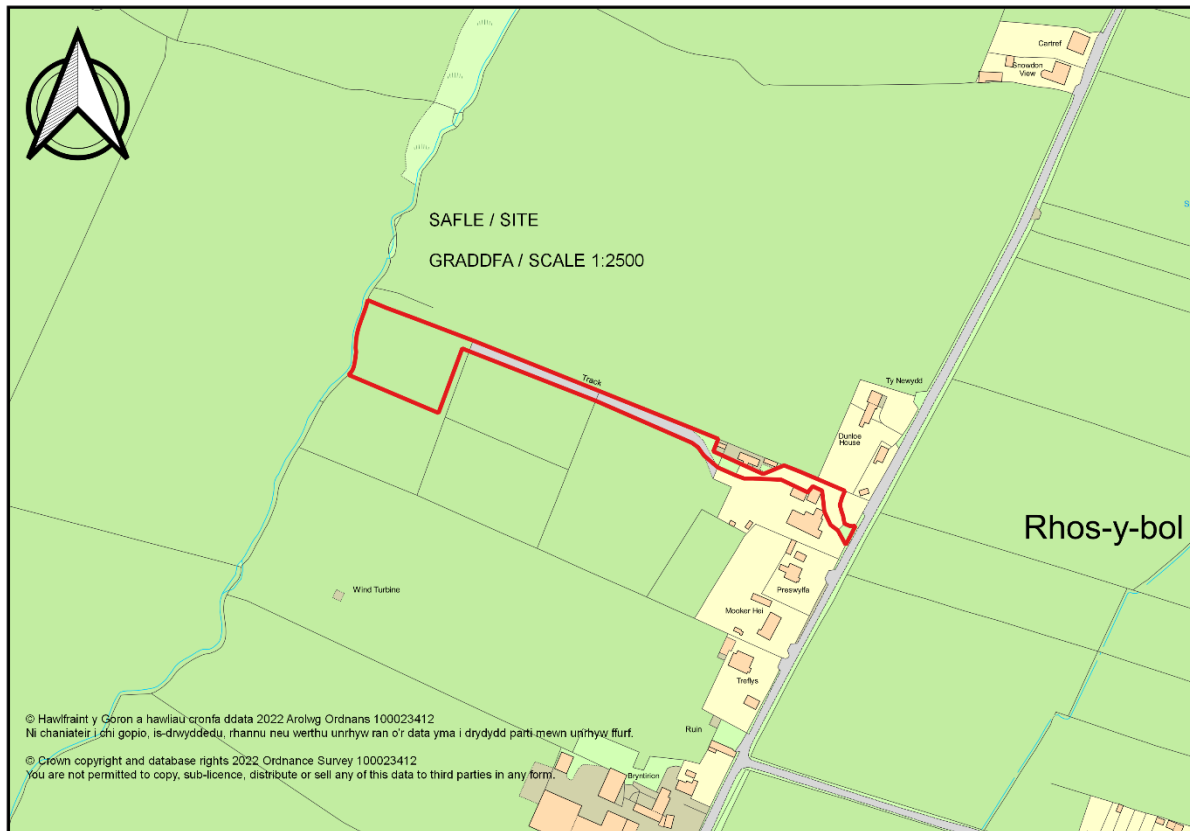
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: FPL/2022/215

Applicant: Glyn Jones

Description: Full application for the erection of an agricultural shed for the storage of machinery together with retention of resurfacing works at

Site Address: Capel Bach, Rhosybol



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

Recommendation: Refuse

Reason for Reporting to Committee

The application has been called in by Councillor Aled Morris Jones.

Proposal and Site

The application is for the erection of an agricultural shed for the storage of machinery together with retention of resurfacing works to the rear of the main property/site at Capel Bach. The proposed agricultural shed lies approx. 217m from the main dwelling of Capel Bach and is in an open countryside location with no built structure surrounding the site.

The application site lies on the outskirts of Rhosybol village in an open countryside.

Key Issues

The key issues are whether the proposed development complies with the relevant planning policies and whether the proposed development impact the surrounding amenities

Policies

Joint Local Development Plan

Strategic Policy PS 5: Sustainable Development
Policy TRA 2: Parking Standards
Policy TRA 4: Managing Transport Impacts
Policy PCYFF 2: Development Criteria
Policy PCYFF 3: Design and Place Shaping
Policy PCYFF 1: Development Boundaries
Policy PCYFF 4: Design and Landscaping
Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
Policy AMG5: Local Biodiversity Conservation
Planning Policy Wales (Edition 11)
Technical Advice Note 6: Planning for Sustainable Rural Communities (2010)
Technical Advice Note 12: Design (2016)

Response to Consultation and Publicity

| Consultee | Response |
|--|-------------------------------------|
| Ymgynghorydd Tirwedd / Landscape Advisor | No Response |
| Iechyd yr Amgylchedd / Environmental Health | Observations |
| Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor | Advice Given |
| Cynghorydd Derek Owen | No Response |
| Cynghorydd Aled Morris Jones | Call In for Approval of Application |
| Cynghorydd Liz Wood | No Response |
| Cyngor Cymuned Rhosybol Community Council | No Response |
| GCAG / GAPS | No Response |
| Priffyrdd a Trafnidiaeth / Highways and Transportation | No Objections |

The application was publicised by serving of personal notifications on the owners of neighbouring properties. The latest date for the receipt of representations was the 13/10/2022. At the time of writing this report, no representations were received at this department.

Relevant Planning History

FPL/2022/157 - Cais llawn a'r gyfer codi sied amaethyddol i storio peiriannau yn / Full application for the erection of a agricultural shed for the storage of machinery at - Capel Bach, Rhosybol - Tynnwyd yn ôl / Withdrawn 02/08/2022

Main Planning Considerations

6. Main Planning Considerations

The main planning considerations for this application are:

1. Location;
2. Design and Visual Amenity,
3. Justification

Location

The application site is located in the open countryside, outside any defined development boundary or identified cluster.

Policy PCYFF 1 of the JLDP relates to development boundaries and states that outside the development boundaries development will be resisted unless 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.

The application site is not located within a development boundary and does not therefore accord with policy PCYFF1. It is therefore necessary to consider whether the proposal conforms with other specific plan policies.

The application site lies approximately 217m from the dwelling of Capel Bach and no justification has been provided for this location, which encroaches significantly into the open countryside and away from the existing built form.

Design and Visual Amenity

Policy PCYFF 2 relates to development criteria and requires that proposals comply with relevant plan policies and national planning policy and guidance

Policy PCYFF 3 of the Plan states that all proposals will be expected to demonstrate a high quality design which fully takes into account the natural, historic and built environment 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 to the relevant policy criteria:

- 1 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.
- 2 It respects the context of the site and its place within the local landscape, including its impact on important principal gateways into Gwynedd or into Anglesey, its effects on townscape and the local historic and cultural heritage and it takes account of the site topography and prominent skylines or ridges;
- 3 it utilises materials appropriate to its surroundings and incorporates hard and soft landscaping and screening where appropriate in line with policy PCYFF4.

The proposed building measures 23m in length x 16m in width with a maximum height of approx. 6.8m. These measurements are a slight reduction to the original proposal of a shed with a proposed length of 25m. It is considered the proposed shed is large in scale and is usually located within substantially sized farmyards / agricultural sites. It has been confirmed that the materials to be used are Mona block and the sheeting will be the anti-condensation sheets and wood to be tantalised.

Given its prominent open countryside location, its size, scale and lack of any landscaping whatsoever, it is considered that the proposed development does not comply with policy PCYFF 3 or PCYFF 4 of the Joint Local Development Plan

Technical Advice Note 6: Planning for Sustainable Rural Communities (2010) states:

A14. The siting of a new agricultural or forestry building, road, excavation or waste deposit, or fish tank can have a considerable impact on the surrounding landscape. Developments should be assimilated into the landscape without compromising the functions they are intended to serve. New buildings should normally form part of a group rather than stand in isolation, and relate to existing buildings in size and colour. However, new buildings of modern design may sometimes best be separated from a group of traditional buildings to avoid visual conflict. Sites on skylines should be avoided. To reduce visual impact, buildings should be blended into the landscape or, on sloping sites, set into the slope if that can be achieved without disproportionate cost.

It is considered the shed does not enhance the character of the proposal site and would have a detrimental visual impact to the undeveloped open fields open countryside topography and the proposal does not respect the context of the local landscape.

Having visited the site, it is noted that hardstanding work has already commenced on site with the dumping of tonnes of rubble and building material in this open countryside location without the benefit of planning permission. It is also noted that there are building materials such as slate tiles, concrete breezeblocks and other various building materials located on the site which are not connected to any agricultural use. The agent for this application has clarified that the materials are to be moved from the site and are surplus from previous developments at the main property (approx. 214m distance away from the proposal site) and ongoing patio works.

Justification

A statement has been provided for the application by the planning agent listing the proposed machinery to be stored within the new proposed shed. The machinery listed is a Tractor, a roller, a Harrow, PTO Wessex Mower, J Deere Tractor Mower and Trailers and Hedgecutters. The proposed shed has been described as an agricultural shed on the application form for proper management of the land. The land owned by the applicant is the adjacent fields between the proposal site and Capel Bach property (as shown with a blue line on the location plan received).

Having measured the plans the land owned is approx. 7.5 acres and not 10 acres as stated within the submission. This is considered a small amount of land for the significantly sized shed and the claimed agricultural use of the site. Having visited the site it is noted that there is more of a Tourism/ Business use at the site compared to agricultural use, with no Livestock, or growing of crops etc.

An adjacent field is part of a Caravan Tourer Club which can site 5 Tourer Caravans at any given time. A Hairdressing business is also adjacent to the site and the site is listed on an online page listing various holiday lets located at the site.

One of the fields displayed within the blue line of the location plan is also labelled as a "Dog Walking" space for tourists to walk their dogs. Within the same field there is various equipment placed, swings, slide, seesaw, picnic bench etc. and labelled as a kids play area on the web page of the Caravan Tourer Club. It is considered that the land owned here is not agricultural and more of a leisure/residential use.

Noting all the above it is considered the shed is not for agricultural use and the justification for the Machinery listed and size of agricultural shed within its setting has not been proven and the proposal is considered an overdevelopment of the site.

The form and proportion of the development also does not respect the character of the surrounding built environment and landscape in accordance with the guidance provided in the following Supplementary Planning Guidance Notes:

- Design Guide for the Urban and Rural Environment (2008).

The highways department have confirmed that they have no objection to the proposal.

Conclusion

Due to the lack of justification for an agricultural shed of this size and scale in this open countryside location away from the built form, it is considered that the proposed development does not comply with the relevant planning policies and the recommendation is one of refusal.

Recommendation

That the application is refused for the following reason:

(01) The Local Planning Authority considers that the proposal would result in an unacceptable and Unjustified development in the open countryside contrary to the provisions of policies PCYFF1, PCYFF 3, PCYFF 4 of the Anglesey and Gwynedd Joint Local Development Plan.