

Application Reference: FPL/2023/228

Applicant: Mr & Mrs D Bailey

Description: Full application for extension to residential curtilage at

Site Address: Tyn Lleiniau, Llanfigael.



Report of Head of Regulation and Economic Development Service (David Parr-Sturgess)

Recommendation: Permit

Reason for Reporting to Committee

The application is reported to Committee as the applicant is related to a serving councillor as defined in section 4.6.10.2 of the Council's Constitution. The application has been scrutinised the Monitoring Officer in accordance with the requirements of section 4.6.10.4 of the Constitution.

Proposal and Site

The proposed site is located in the Llanfigael area adjacent to a single lane country road within the open countryside as defined by the Joint Local Development Plan. The existing dwelling is a detached 4 bedroom bungalow cottage which has a hard surfaced garden area to the rear used for car parking and the siting of static caravan used as ancillary accommodation.

The proposed development is the extension to the residential curtilage.

Key Issues

The key issues are whether the proposal complies with planning policies and would have a negative impact on the neighbouring dwellings or surrounding area.

Policies

Joint Local Development Plan

Policy PCYFF 2: Development Criteria
Policy PCYFF 3: Design and Place Shaping

SPG – Design Guide for the Urban and Rural Environment
Technical Advice Note 12: Design (2016)
Planning Policy Wales (11th edition)

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Jackie Lewis	No observations received to date.
Cynghorydd Llio Angharad Owen	No observations received to date.
Cynghorydd Llinos Medi Huws	No observations received to date.
Cyngor Cymuned Llanfachraeth Community Council	No observations received to date.
Priffyrdd a Trafnidiaeth / Highways and Transportation	Do not anticipate to have an affect on the highway network.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Requested confirmation on plans of native hedges to be planted together with mitigation for hedgehog holes to be included within the new boundary fence.
Draenio / Drainage	No observations received to date.

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties with the expiry date for receiving representations was the 29/11/2023. At the time of writing this report no letters of representation have been received.

Relevant Planning History

27C44 - Dymchwel y siediau presennol ac ail godi modurdy ynghyd ac ystorfeydd i'w defnyddio a pwrpasau domestig yn / Demolition of existing sheds along with the construction of a garage , store and garden store building for domestic use only at Ty'n Lleinion, Llanddeusant. Cwblhau'n Derfynol / Finally Disposed Of 09/12/2007

27C44A - Codi ystafell haul ynghyd a cadw'r modurdy/storfa yn / Erection of a conservatory together with the retention of the garage/store at Tyn Lleiniau, Llanfigael, Llanfachraeth. Caniatau/Approved 29/09/2004

27C44B - Addasu ac ehangu yn / Alterations and extensions at Tyn Lleiniau,Llanfigael. Caniatau/Approved 10/10/2006

Main Planning Considerations

The application is for the extension to the residential curtilage and is to be determined by the committee as Councillor Ken Taylor is related to the applicants.

The main planning considerations are whether the proposal complies with planning policies and would have a negative impact on the neighbouring dwellings or surrounding area.

(i) The original application submitted

The original planning application submitted proposed the erection of a detached single storey annexe and the extension to the residential curtilage of the property. The planning department informed the applicant and agent that the proposed annexe would be unacceptable as its distance from the existing dwelling would create a separate self-contained unit which would not be considered ancillary to the existing dwelling. The applicant and agent amended the proposed development by removing the proposed annexe and extending the extension to residential curtilage to match the neighbouring dwelling.

(ii) Proposed extension to curtilage

The amended proposed development is the change of use of agricultural land to the East of the existing residential curtilage. The area of land measures approximately 0.11 hectares. The neighbouring property of Trem Y Mynydd is on land adjacent to the North and has a very large garden area that extends to the East of the dwelling. The proposed extension to residential curtilage would match the length and scale of the neighbouring dwellings garden. There is an existing boundary fence along the curtilage between the dwellings and gardens with its height preventing any overlooking. The change of use of the land would not have a negative impact on the existing dwelling, would be similar in scale to the neighbouring dwellings garden and would not impact the surrounding area.

(iii) Ecological advisor consultation response

The council's ecological advisor has requested ecological enhancements as part of the change of use of the land. The agent has made amendments to the proposed plans to show the ecological enhancements for the planting of a native hedge and providing hedgehog holes within the fence so as to comply with the ecological advisor's comments. Both the ecological enhancements will be conditioned.

Conclusion

The proposed extension to the residential curtilage is considered acceptable as it would not have a negative impact on existing site, neighbouring property or surrounding area and complies with planning policies PCYFF 2 and PCYFF 3 of the JLDP.

Recommendation

That the application is permitted subject to the following conditions:

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

Reason: To comply with the requirements of Section 91(1) of the Town and Country.

(02) The 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.

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

(03) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking or re-enacting that Order), the development permitted by Classes A, B, C, D, E and F of Part 1 of Schedule 2 are hereby excluded.

Reason: In the interests of residential and visual amenity.

(04) All planting in the approved details of landscaping contained in drawing Site Plan & Site photos – 999014/01 – Revision I – Dated 12/12/2023 shall be carried out in the first planting seasons following the use of the site or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The planting shall be retained for the life of the development hereby approved.

Reason: In order that the proposal integrates into the area as required in JLDP Policies AMG 1, PCYFF 3 and PCYFF 4.

(05) The extension to the residential curtilage shall only be used incidental to the dwelling house Tyn Lleiniau, Llanfigael as shown within the red outline of the Site Plan & Site photos – 999014/01 – Revision I – Dated 12/12/2023 provided.

Reason: For the avoidance of doubt and to ensure that inappropriate uses do not take place in the locality

(06) Prior to the use of the extended residential curtilage hereby approved the proposed boundary fence with small holes at the bottom of the fence for hedgehogs as labelled on drawing Site Plan & Site photos – 999014/01 – Revision I – Dated 12/12/2023 shall be completed and thereafter shall be retained as such for the lifetime of the development hereby approved.

Reason: To help conserve and safeguard biodiversity.

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

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.