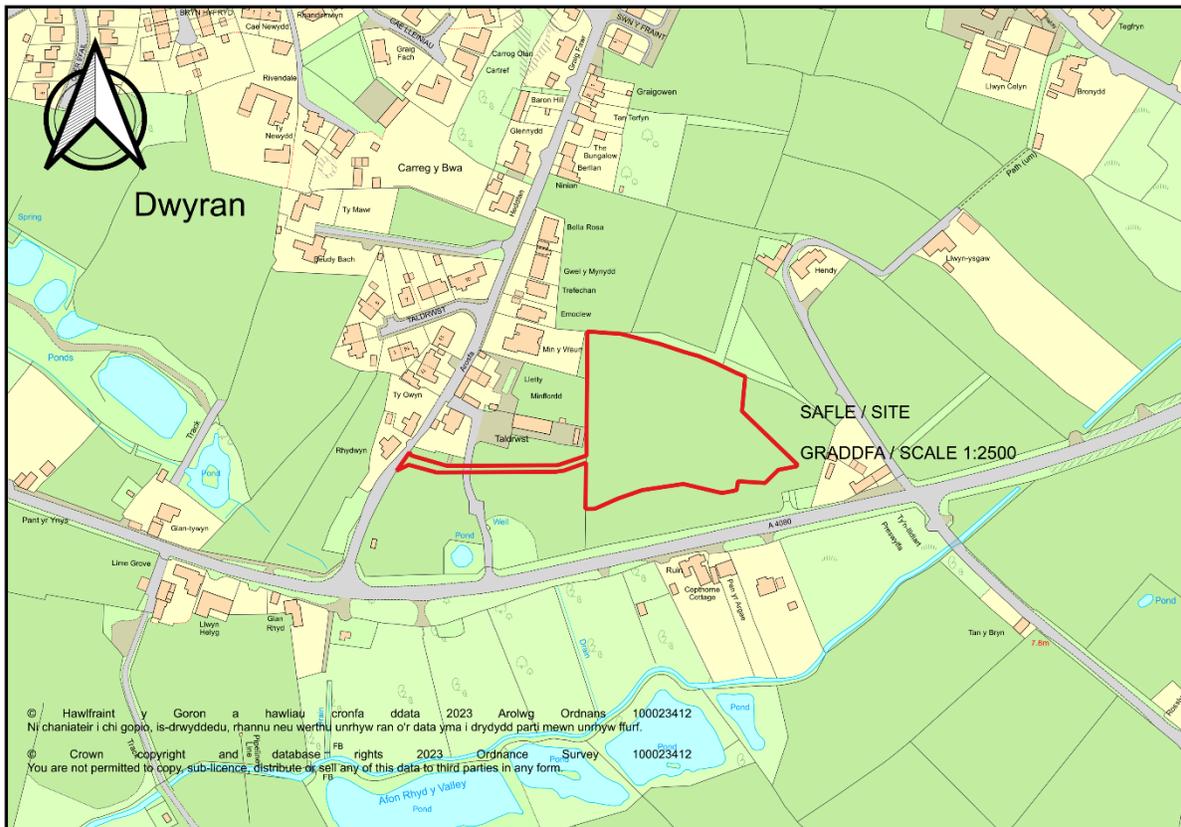


Application Reference: FPL/2023/61

Applicant: Mr G Williams

Description: Full application for the change of use of agricultural land into holiday lodge site, siting 13 holiday lodges, construction of new road on site, alterations to existing vehicular access together with soft and hard landscaping on land at

Site Address: Taldrwst, Lon Fain, Dwyran



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

Recommendation: Permit

Reason for Reporting to Committee

The application is presented to the planning committee at the request of local member Arfon Wyn. At the committee meeting held on the 1st of November 2023, the members voted to conduct a physical site visit. The site visit took place on the 15th of November 2023 and therefore the members will now be familiar with the site and its surroundings.

At the committee meeting held on the 6th December, 2023, members resolved to refuse the application contrary to officer recommendation. The given reasons were as following;

- **Insufficient drainage information provided to allow members to make a decision.**

In such circumstances paragraph 4.6.12.1 of the Council's Constitution requires that:

"Where the Committee are mindful to either approve or refuse a proposed development contrary to an Officer recommendation, the item shall be deferred until the following meeting so as to allow the officers to report further on the matter. The Committee must set out the reasons for wishing to decide against the officer recommendation. Committee members should adhere to these Rules when making planning decisions and take policy guidance from planning officers into due regard and only vote against their recommendations where genuine and material planning reasons can be identified. A detailed minute of the Committee's reason(s) shall be made and a copy placed on the application file. Where deciding the matter contrary to the recommendation may risk costs on appeal the Committee will take a recorded vote when deciding the application irrespective of the requirements of paragraph 4.1.18.5 of the Constitution."

Paragraph 4.6.12.2 requires that;

"The officer's further report shall detail the reasons put forward by the members, indicate whether such reasons are, in their view, genuine and material planning reasons and discuss the land use planning issues raised."

This report will therefore give consideration to these matters.

The department would again like to reiterate that surface water matters are outside of the remit of the planning process and as such it is not possible or reasonable to insist that such matters are fully addressed as part of any planning application. Despite this, the developer has agreed to provide this information for the benefit of the planning committee so as a decision may be made. At the time of writing this report, the developer has submitted an amended SuDS application to the Local Authority as the SuDS Approval Body and the information is currently being assessed. The department have deferred the application for several months and are unwilling to defer further. The department is therefore requesting members to make a decision with the information that is to hand at this moment in time, with consideration given to the above in relation to surface water. At the time of writing this report, there is an ongoing publicity period until the 20th May 2024 by virtue of the receipt of the additional drainage information. Due to this, any decision made by the planning committee will not be released until after this date so as neighbours have been given full opportunity to make representations on the additional information.

Conclusion

The scheme in its original form raised several concerns with both the Planning Authority and specialist consultees, with particular concern drawn to highways and flooding matters. The scheme has since been altered in line with the specialist consultees comments, which subsequently overcame concerns in relation to the previously mentioned highways and flooding issues. In addition to this, the scheme was considered against the relevant policies of Joint Local Development Plan, where it was found that no policies were contravened. On planning balance, the scheme was found to be acceptable subject to the imposition of conditions. No sufficiently material reasons for refusal were encountered as part of the determination process and as a result it is the departments stance that the scheme should be 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 / 3001:22:1b**
- **Proposed Site Plan / 3001:22:3j**
- **Proposed Drainage Layout / 005 P03**
- **Basin Construction Details / 017 P01**
- **Landscape General Arrangement Plan / 326-LST-XX-XX-DR-L-0102 S4 P05**
- **Landscape General Arrangement Wider Plan / 326-LST-XX-XX-DR-L-0101 S4 P05**
- **Proposed Access Plan / 3001:22:8b**
- **Proposed Two Bed Lodge / 3001:22:4a**
- **Drainage Strategy / Mon Civils Limited / January 2024 Revision P02**

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

(03) The development shall be occupied as holiday accommodation only and shall not be occupied as a person's sole or main place of residence. An up to date register shall be kept at the holiday accommodation hereby permitted and be made available for inspection by the local planning authority upon request. The register shall contain details of the names of all of the occupiers of the accommodation, their main home addresses and their date of arrival and departure from the accommodation.

Reason: To define the scope of this permission.

(04) 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.

(05) The access shall be laid out and constructed strictly in accordance with the submitted plan before the use hereby permitted is commenced and thereafter shall be retained and kept free from permanent obstruction and used only for access purposes.

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

(06) 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.

(07) 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 the use hereby permitted is commenced.

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 site shall be landscaped strictly in accordance with [insert plan reference] 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 the interest of the visual amenity of the locality.

(10) Only foul water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made at manhole reference SH4658301 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.

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.

(11) No development, including site clearance, shall commence until a site-wide Species Conservation Plan has been submitted to and approved in writing by the Local Planning Authority. The Conservation Plan should include:

- Build upon the principles outlined in the Ecological Assessment report by Clwydian Ecology, 22nd February 2023
 - A plan showing areas to be retained which should identify the extent and location on appropriate scale
 - Details of the siting and type of external lighting to be used
 - Drawings setting out light spillage in key sensitive areas (boundary features/trees)
 - Details of protective measures to be taken to minimise the impacts
 - Details of timing, phasing and duration of construction activities and conservation measures
 - Timetable for implementation demonstrating that works are aligned with the proposed phasing of the development
 - Details of initial aftercare and long-term maintenance
 - Actions to be taken in event previously unidentified species features are found
 - Ecological Compliance Audit, including key performance indicators
 - Persons responsible for implementing the works
 - Details of measures to prevent or reduce incidental capture or killing
- The Species Conservation Plan shall be carried out in accordance with the approved details.**

Reason: To ensure that an approved Species Conservation Plan is implemented, which protects species affected by the development.

(12) (a) No development (including topsoil strip or other groundworks) shall take place until a specification for a programme of archaeological work has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and all archaeological work completed in strict accordance with the approved details.

(b) A detailed report on the archaeological work, as required by condition (a), shall be submitted to and approved in writing by the Local Planning Authority within six months of the completion of the archaeological fieldwork.

Reasons: (1) To ensure the implementation of an appropriate programme of archaeological mitigation in accordance with the requirements of Planning Policy Wales 2018 and TAN24: The Historic Environment.

(2) To ensure that the work will comply with Management of Archaeological Projects (MAP2) and the Standards and Guidance of the Chartered Institute for Archaeologists (CIfA).

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, TWR 3, AMG 1, AMG 5, TRA 4, PS 19.

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.