PLANNING COMMITTEE	DATE: 16/11/2026
REPORT OF THE ASSISTANT HEAD OF DEPARTMENT	

Number: 1

Application Number: **C24/0691/41/LL**

Date Registered: **07/10/2024**

Application Type: **Full**

Community: **Llanystumdwy**

Ward: **Llanystumdwy**

Proposal: **Erection of one dwelling house (C3) and associated access and car parking**

Location: **Site near Lleifior, Llangybi, LL53 6DQ**

Summary of the Recommendation: **TO APPROVE WITH CONDITIONS**

1. Description:

1.1 This is a full application for the erection of a new two-storey dwelling with an integrated garage within the dwelling structure. The plans show a detached dwelling being built within a plot of land between the Lleifior property and the Troed y Garn estate.

1.2 The proposed dwelling would measure approximately 8.8 metres in height to the ridge, with a length of approximately 19.3 metres along the main elevation and a width of approximately 14.5 metres. The design of the building includes a form with more contemporary elements, with a balcony to the front of the property.

1.3 The site is located within the Llangybi development boundary as defined in the Anglesey and Gwynedd Joint Local Development Plan. The site is served by a class 3 road and public footpath number 14 Llanystumdwy to the east and is bordered, on its eastern side, by a protected open play area.

1.4 In terms of materials, it is proposed to use natural slates on the roof along with solar panels. The exterior walls will feature a mix of natural stone cladding and burnt cedar cladding, providing the building with a distinctive character and a combination of materials that reflect both traditional and contemporary elements. The proposed materials are considered to be of high quality and contribute to the creation of a development that responds appropriately to its local context.

1.5 The application is submitted to the Committee at the Local Member's request.

2. Relevant Policies:

2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 2.1.2 of Planning Policy Wales emphasise that planning decisions should be in accordance with the Development Plan, unless material considerations indicate otherwise. Planning considerations include National Planning Policy and the Local Development Plan.

2.2 The Well-being of Future Generations Act (Wales) 2015 places a duty on the Council to take reasonable steps in exercising its functions to meet the 7 well-being goals within the Act. This report has been prepared in consideration of the Council's duty and the 'sustainable development principle', as set out in the 2015 Act. In reaching the recommendation, the Council has sought to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

2.3 **Anglesey and Gwynedd Joint Local Development Plan 2011-26, adopted 31 July 2017**

PCYFF 1: Development boundaries

PCYFF 2: Development criteria

PCYFF 3: Design and place shaping

PCYFF 4: Design and landscaping

PS 5: Sustainable development

PS 6: Alleviating and adapting to the effects of climate change

AMG 3: Protecting and improving features and qualities that are unique to the character of the local landscape

PS 19: Conserving and where appropriate enhancing the natural environment

PS 1: The Welsh language and culture

PS 4: Sustainable transport, development and accessibility

TRA 2: Parking standards

TRA 4: Managing transport impacts

PS 17: Settlement strategy

TAI 4: Housing in local, rural and coastal villages

TAI 8: An appropriate mix of housing

TAI 15: Affordable housing threshold and their distribution

2.4 **National Policies:**

Future Wales: The National Plan 2040

Planning Policy Wales (Edition 12 - February 2024)

Technical Advice Note 12: Design

Technical Advice Note 18: Transport

3. Relevant Planning History:

C22/0801/41/AM - Outline application for the erection of a new two-storey house with vehicular access - 09-11-2022 Approved with conditions

4. Consultations:

Community/Town Council:	15/11/24 - Refused as the design was incompatible with the character of the village. 10/09/25 - Refused as the design was incompatible with the character of the village.
Transport Unit:	I have no objection in principle to the following application, nevertheless I would like you to consider the following conditions: P14A - It will not be permitted at any time for the highway's current boundary wall/hedge/fence or any new highway-facing boundary

erected to be higher than 1 metre above the carriageway level of the adjacent county road from either end of the site's boundary to the highway and it is not permitted to erect anything higher than this within 2m of the wall in question.

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 site's boundary with the adjoining highway and nothing exceeding this height shall be erected within 2 metres of the said wall.

P26A - The applicant must take every care to prevent surface water from the curtilage of the site discharging onto the highway.

The Applicant shall take all appropriate measures to prevent surface water from within the curtilage of the sites to discharge onto the county highway .

Welsh Water:

As you'll be aware from our previous planning consultations, the site is crossed by a 90mm public watermain with the approximate position being marked on the attached plan. In accordance with the Water Industry Act 1991, Dŵr Cymru Welsh Water requires access to its apparatus at all times in order to carry out maintenance and repairs. In accordance with the Water Industry Act 1991, Dŵr Cymru Welsh Water requires access to its apparatus at all times in order to carry out maintenance and repairs. Having regard to the revised Proposed Site Plan, it would appear that a *clawdd*, fence, hedge, trees/planting are proposed above and within the protection zone of the public watermain when measured 3 metres either

side of the centreline. We would advise that it is not permissible to locate any structures, *clawdd*, hedges, trees/planting above or within the protection zone of our assets. We would also advise that the public watermain and its required protection zone should be located within public and accessible area so that access to our asset is maintained.

In relation to the proposed fence and gate, we would require a cross-section detail showing the relationship between the proposed fence the public watermain in order for us to assess and advise further.

In the first instance, we would advise of the need to accurately locate the asset on site as our record plans are a general guidance only and should not be relied upon in the event of excavations or other works made in the vicinity of the assets. We would need to carry out the survey work and would suggest that the developer contact our colleagues at PlanandProtect@dwrcymru.com for a quotation.

Accordingly, for the reasons outlined above, we offer a Holding

Objection until such time as additional/amended information has been submitted and request we are re-consulted on receipt of this information.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

Senior Rights of Way Officer:

I would like to re-submit my previous comments below (also attached above) as the most recent plans do not appear to have reflected the comments previously provided on the application.

Comments: I refer to the above application. Public right of way (Footpath) number 14 in the community of Llanystumdwy is affected by this proposal. As the applicant noted on the plan, the footpath leads in a northerly direction from the main road and adjacent to the proposed development (See the attached plan). It appears the applicant intends to install a tall wooden fence on the western side of the footpath and on the other side is an existing hedge line. With this, the footpath goes from an open space to an enclosed space, the footpath will be prone to vegetation overgrowth and standing water, making the surface wet and muddy. Therefore, the Footpaths Team recommend a width of 3 metres to the footpath to ensure that these matters will not become such a problem. On the entrance of the footpath from the main road, the applicant is requested to install a kissing gate and the Footpaths Team are willing to provide a gate for this cause. We recommend a *Woodstock* kissing gate from *Centrewire*. Should the applicant require further information or to discuss the matter further, they can contact the team on Llwybrau@gwynedd.llyw.cymru. Thank you.

Further comments 20/10/26

Thank you both for your time this morning when we had the opportunity to discuss the current restrictive width of the public footpath on your property (as a result of the previous owner's actions of erecting an additional stock fence between the footpath and the rest of the field which will become your house and garden) and the way ahead to resolve this impasse.

Following our discussion of this morning I am now happy to confirm that the Right of Way Department of Cyngor Gwynedd will now support your Planning application (No. C24/0691/41/LL) on the condition of the following and as you have mentioned in your e-mail dated 5th October 2026, as in the thread below:-

- You will not erect a wooden panel fence of any kind adjacent

to the Footpath in the future.

- You will ensure a minimum of 1.5m clearance between the fence line and hedgerow/wall - please note that this should be measured from the inside posts of the new fence line and the base of the boundary wall/*clawdd* (earth bank) opposite.

- You will minimise the canopy to ensure airiness within the corridor.

- That all actions above will be carried out by you as soon as possible and at the latest at the end of the Construction phase of this new build.

I would also like to confirm that we are happy to supply a suitable gate to replace the old iron kissing gate at the start of this footpath when it comes to adapting the new entrance to your new build.

I trust that the above is acceptable to you both and I look forward to hearing from you in due course as work commences on your new house.

Biodiversity Unit:

I have compared the aerial photographs of the site and in 2018 there was a hedge along the northern boundary of the field but the hedge cannot be seen in the aerial photographs today (around 2022). See photographs below. Hedges are important habitats for nature and wildlife. Therefore, I would like this application to include hedges; see the plan below which I have marked with a green line for the hedges to be planted.

I would like the applicant to provide plans that include a hedge along the northern boundary, which is important to mitigate the loss of Biodiversity and to provide improvement.

I can see that the new plan indicates that the clawdd along the road will be preserved, which is good.

Drainage Unit:

Following a review of the submission, I note ***that no drainage strategy*** has been provided as part of the application documentation. The provision of a drainage strategy is required in accordance with technical advice note (TAN) 15: development, flooding and coastal erosion. As a result, it is not possible to assess compliance with national sustainable drainage standards, or to determine how surface run-off will be managed on site.

Further details about the SAB application process are available via the following link
https://www.gwynedd.llyw.cymru/en/Residents/Planning-and-

building-control/Planning/Sustainable-Drainage-Systems.aspx

Public Consultation: A notice was posted on the site and nearby residents were notified. The advertisement period has expired and correspondence was received objecting on the following grounds:

- Concern that the proposal represents an over-development, with the dwelling deemed too large and out of character with the area.
- Concern that the development does not meet local housing needs or support the local community, the number of pupils in the school or the Welsh language.
- Concern about the loss of a grassy site and wildlife habitat, including the removal of established hedgerows and the impact on birds, mammals and biodiversity in general.
- Concern about the impact on the amenities of nearby residents through increased noise and loss of privacy as a result of hedge removal.
- Concern that vacant properties, houses for sale and holiday homes already exist in the village, raising questions about the need for a new dwelling.
- Concern that the work already carried out on the site may have disrupted wildlife and commenced before the necessary permissions were obtained.

5. Assessment of the material planning considerations:

The principle of the development

5.1 The site is in a central location within the development boundary of the local village of Llangybi as shown in the Anglesey and Gwynedd Joint Local Development Plan (LDP) proposal maps and, therefore, in accordance with the general requirements of policies PS 5 and PCYFF 1 of the LDP.

5.2 Policy TAI 4 is supportive of open market housing developments in local villages such as Llangybi, provided that their size, scale, type and design are balanced with the character of the settlement and that the site is within its development boundary.

5.3 The indicative level of housing for Llangybi over the Plan period, as noted in Appendix 5 of the Joint Local Development Plan, is 4 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.). In the period from 2011 to 2024, a total of 0 (zero) unit was completed in Llangybi. The windfall land bank, i.e. sites with existing planning permission on sites not allocated for housing, in April 2024 was 1 unit.

5.4 Based on this information, approving a development at this scale would be acceptable on the grounds of the indicative growth level for the Village. As this development, accumulatively, would not provide more than the complete indicative housing provision for Llangybi, no Welsh language statement is needed with the application.

5.5 Based on this information, a proposal of this scale would be appropriate given the indicative supply and therefore, it is considered that the proposal is acceptable in terms of Policies PS16, PS 17 and TAI 4 of the LDP.

5.6 As this proposal is for the provision of one new house, it does not meet the threshold noted in Policy TAI 15 to consider affordable provision. It is also noted that Policy TAI 8 applies here in relation to the need to ensure that the type of house promotes sustainable mixed development. As only one dwelling applies, it is considered that the proposal contributes towards the housing mix of the settlement.

5.7 Since 20 November 2022, the Town and Country Planning (Use Classes) Order 1987 (the "Use Classes Order") has been amended to create new use classes for 'Dwellings, used as sole or main residences' (Class C3), 'Dwellings not used as sole or main residences' (Class C5) and 'Short-term Lets' (Class C6). As this proposal has been assessed against the expected growth level of Llangybi to provide a C3 residential unit, in accordance with Policy TAI 4, it is considered reasonable to include a condition to remove the permitted development rights for other uses within C3 Class to ensure that the unit is not lost from the permanent housing stock.

Visual amenities

5.8 Policy PCYFF 3 states that proposals will be approved, including extensions and changes to existing buildings and structures, if they comply with a number of criteria including that the proposal adds to or improves the character or appearance of the site, the building or the area in terms of setting, appearance, scale, mass, the height and elevation treatment; that it respects the context of the site and its place in the local landscape; that it uses materials that are appropriate to their surroundings and incorporates soft landscaping; that it improves a safe and integrated transport and communications network; that it limits the risk and danger of flood water run-off and prevents pollution; that it achieves an inclusive design that allows access for all and helps to create healthy and vibrant environments taking into account the health and well-being of future users.

5.9 The proposal includes the erection of a new two-storey dwelling within the development boundary of the village.

5.10 When considering the development pattern of the settlement and land levels, together with the intention of placing this new dwelling house parallel to an existing dwelling, it is considered that it is unlikely to have a significant adverse effect on the location or wider landscape, as diversity within the wider streetscape is a common feature within communities. It is acknowledged that the design of the property includes modern features, but this is not considered to have a significant adverse effect on the landscape or streetscape in this case. Therefore, it is not considered that the proposal is contrary to policy PCYFF 3 of the LDP.

General and residential amenities

5.11 The site is situated between the existing Lleifior dwelling and public footpath 14 Llanystumdwy and an existing play area.

5.12 It is noted that the Lleifior dwelling has no windows facing the site of the proposed development. The proposed dwelling consists of ground floor windows and two first-floor windows in the roof facing Lleifior. The first-floor windows are not considered to cause unacceptable overlooking as the right to install a fence up to 2m high between two properties is not subject to planning permission for the protection of their amenities. The roof-lights are for bathrooms and therefore it is not considered that these windows would cause a significant overlooking effect. It is the same with the elevation on the other side facing the public footpath and playground, with the roof-lights being for bedrooms. Consequently, the application is not considered to result in

unacceptable overlooking, loss of privacy or a significant level of disturbance to the occupants of the property right next door, or any other neighbour.

5.13 In assessing the proposal from a residential amenity perspective, it is considered that the development would not cause significant adverse impact in terms of privacy, overlooking, shading or visual overload. As a result, the development is considered acceptable in terms of amenities and does not cause unacceptable harm to occupiers of neighbouring properties.

5.14 To this end, it is considered that the revised application complies with the requirements of Policy PCYFF 2 of the Joint Local Development Plan, which seeks to ensure that new developments safeguard and enhance the residential amenities of occupiers of neighbouring properties.

Transport and access matters

5.15 The Highways Department has no objection in principle to the proposed development. However, it was recommended to impose conditions on any planning permission granted to ensure that the development is operated in a safe manner and in accordance with the requirements of the highway network. These conditions are considered reasonable, necessary and relevant to the development.

5.16 In terms of parking provision, it is indicated that the proposed garage will be able to accommodate two vehicles, with additional parking available within the proposed driveway. As a result, it is considered that sufficient off-street parking space is provided to meet the needs of the dwelling without creating unacceptable pressure on parking on the public highway or disrupting road safety.

5.17 In addition, the development is not considered to result in an unacceptable increase in risk to highway users or have a detrimental effect on the efficient operation of the local road network. Considering the comments of the Highway Department and the proposed parking provision, the proposal is considered acceptable from a transport and road safety perspective.

5.18 Comments from the Footpaths Unit raise matters relating to the protection of footpath number 14 Llanystumdwy, and following further discussion an agreement has been reached for a protected width of 1.5m, which would prohibit the erection of any fencing within this area and ensure that vegetation does not overgrow. It is considered that imposing conditions to ensure the implementation of these measures is reasonable, necessary and directly relevant to the development, and as a result the proposal is considered acceptable in terms of public rights of way.

5.19 To this end, the application is deemed to comply with the requirements of Policies TRA 2 and TRA 4 of the Joint Local Development Plan.

Biodiversity matters

5.20 The Biodiversity Unit has stated that a hedge should be provided along the northern boundary of the site to contribute to mitigating any loss of biodiversity and achieving net ecological improvement as part of the development. It is considered that this requirement is reasonable and proportionate to the nature of the development, and therefore it is deemed appropriate to ensure this by imposing a condition requiring the submission and implementation of a detailed landscaping plan, including the planting and establishment of a native hedge along the relevant boundary.

5.21 A Preliminary Ecological Assessment Report was submitted as part of the application, and the report concludes that the loss of existing habitat will not result in significant ecological impacts.

The report does not indicate the presence of any habitats or species of special importance that would be unacceptably affected by the proposed development. Nevertheless, the provision of the new hedge is considered to be a positive step that will help strengthen local ecological connectivity and provide long-term benefits to biodiversity.

5.22 Given the findings of the Preliminary Ecological Assessment, together with the intention to ensure biodiversity improvements through an appropriate landscaping condition, it is considered that the development will not have an unacceptable adverse impact on the ecological interests of the site or the surrounding area. A Green Infrastructure Statement has been submitted as part of the application and by imposing appropriate conditions, it is considered that the application complies with the requirements of Policies AMG 3, AMG 5 and PS 19 of the Joint Local Development Plan, as well as the objectives of Chapter 6 of Planning Policy Wales which seeks to protect and enhance biodiversity through the planning system.

Welsh Water Matters

5.23 Welsh Water has requested details of a cross-section showing the relationship between the proposed fence and the public watermain. However, based on the plans submitted, there is no intention to erect a new fence over the location of the public watermain. In addition, it should be noted that planning permission is not required for the erection of a fence or wall that is less than 1 metre high next to a highway, or 2 metres elsewhere within the curtilage of a property. From a biodiversity perspective, it is considered appropriate to ensure that a hedge is established on the site to provide ecological mitigation and improvements and by ensuring that this would not have an impact on the protection zone of the public watermain through this condition, it is considered that these matters can be addressed by imposing appropriate conditions on any permission.

Drainage Matters

5.24 No drainage statement has been submitted as part of the application, but confirmation has been received that the proposal has received consent from SAB for the sustainable drainage scheme.

5.25 Section 1 of the new TAN 15 (2025) states "This document replaces Technical Advice Note 14, issued in 1998 and Technical Advice Note 15, issued in 2004. Development Plans and planning decisions should no longer refer to those documents." However, the clarification letter states that "...the publication of new guidance could have an impact on the processing of planning applications therefore there will be a transitional period for the implementation of the TAN. Therefore, planning applications submitted and registered before the new TAN was published will continue to be assessed against the previous version ..." Therefore, official guidance from the Welsh Government for planning applications submitted and registered before 31 March 2025 are to be assessed for flood risk on the content of the 1st edition of the TAN 15 policy published in 2004.

5.26 The TAN (2004) does not ensure that a drainage statement is submitted as part of any application, and therefore to this end the proposal is considered acceptable and complies with the requirements of Planning Policy Wales and Technical Advice Note 15 (TAN 15) in relation to SuDS matters and it is noted that consent has already been granted by SAB.

Language Matters

5.27 In accordance with criterion 1b of Policy PS1 ('The Welsh Language and Welsh Culture'), as the development would not exceed the demand for housing in the town given what has already been developed and what has extant planning permission, there is no need to submit a Welsh Language Statement in relation to the requirements of this criterion. However, consideration must be given

to whether information needs to be provided with the application on the basis of the requirements of Section D1 in Appendix 5 of the SPG 'Maintaining and Creating Distinctive and Sustainable Communities'. It is noted that a condition will be required to give a Welsh name to the house in relation to compliance with the requirement of criterion 5 of policy PS 1 of the LDP, and therefore it is not considered that the proposal is contrary to the requirements of policy PS1 in this regard.

6. Conclusions:

6.1 Having given full consideration to all relevant planning aspects and policies, it is considered that the proposal is suitable to support.

7. Recommendation:

7.1 To approve with conditions

1. The development to which this permission relates shall commence no later than FIVE years from the date of this permission.
2. In accordance with the plans.
3. The dwelling/s hereby permitted must be used for residential use within Use Class C3 as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended) only and not for any other use including any other use within Use Classes C.
4. A Welsh name shall be provided for the dwelling hereby approved (Any new name should be derived from historical, geographical or local links to the area where possible).
5. 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 site's boundary with the adjoining highway and nothing exceeding this height shall be erected within 2 metres of the said wall.
6. The applicant shall take all appropriate measures to prevent surface water from within the curtilage of the site from discharging onto the highway.
7. Before commencing any works hereby permitted, a detailed landscaping plan must be submitted to and approved in writing by the Local Planning Authority. The plan will include full details of the proposed hedge, including its location, species and method of establishment. It must be ensured that the hedge does not have any adverse effect on the protection zone of the public watermain. The approved landscaping plan will be fully implemented during the first planting season following the occupation of the dwelling, and will then be carried out in accordance with the approved details.
8. A minimum width of 1.5m must be provided for footpath number 14 Llanystumdwy and the path must be unobstructed at all times, and this includes ensuring that vegetation is cleared. A wall or fence of any kind may not be erected in the vicinity of the path at any time.
9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re- enacting that Order with or without modification) nothing in Article 2, Schedule 2 to that Order shall operate as to permit (within the area that is the subject of this permission) any development in classes E of Part 1 of the Second Schedule and no development shall be carried out at any time within that area without specific permission from the Local Planning Authority.