

PLANNING AND ORDERS COMMITTEE

Minutes of the meeting held on 8 January 2014

- PRESENT:** Councillor William Thomas Hughes (Chair)
- Councillors Lewis Davies, Jeffrey M Evans, John Griffith,
K P Hughes, Vaughan Hughes, T Victor Hughes,
Richard Owain Jones and Nicola Roberts
- IN ATTENDANCE:** Planning Development Manager (DFJ)
Planning Assistants
Senior Engineer (Development Control) (EDJ)
Legal Services Manager (RJ)
Committee Officer (MEH)
- APOLOGIES:** Councillor Ann Griffith
- ALSO PRESENT:** Local Member: Councillor Llinos Medi Huws – application 11.1
Councillor Trefor Lloyd Hughes
-

The Legal Services Manager stated that the County Council meeting held on 5 December, 2013 had resolved the following Planning Procedure Rules:-

- Members of the Planning and Orders to be allowed to take part in discussion and voting thereon as Local Members on applications within their own Wards;
- Members of the Planning and Orders who have not attended Site Visit to be allowed to discuss and vote on applications.

1 APOLOGIES

Apologies as noted above.

2 DECLARATION OF INTEREST

Declaration of interest were made as follows :-

Councillor Nicola Roberts in respect of application 7.1

Councillors Lewis Davies, John Griffith, Vaughan Hughes and Nicola Roberts declared personal interests in respect of application 13.2 on account of the reference to wind turbines within the Plaid Cymru Manifesto but stated that they would consider the application on its own merits.

3 MINUTES

The minutes of the previous meeting of the Planning and Orders Committee held on 4 December, 2013 were presented and confirmed as correct subject to the following amendments:-

- Item 11.1 – 18C215 – Councillor John Griffith did not vote in respect of the application as he is a Local Member.
- Item 14.1 – Isle of Anglesey County Council (Off-Street Parking Places) Various Car parks Anglesey (1) Order 2013

To note that any new pay and display parking sites are to be approved by the Planning and Orders Committee and not the Executive.

4 SITE VISITS

The minutes of the Site Visits held on 18 December, 2013 were presented and confirmed as correct.

5 PUBLIC SPEAKING

There was no public speaking.

6 APPLICATIONS THAT WILL BE DEFERRED

6.1 14C135A – Full application for the erection of a dwelling and private garage, creation of a new vehicular access together with the installation of a package treatment on land adjacent to Glasfryn, Tyn Lon

It was RESOLVED to defer consideration of the application in accordance with the Officer's recommendation for the reason given in the written report.

6.2 34C553A – Outline application for residential development including extra care facility, highway and associated infrastructure at Ty'n Coed, Lllangefni

It was RESOLVED to remove the application from the Agenda of the Committee until such time that negotiations and consultations have concluded and that a recommendation can be made.

6.3 37C187 – Outline application with some matters reserved for the erection of a dwelling, together with alterations to the existing access on land adjacent to Bryn Garth, Brynsiencyn

It was RESOLVED to defer consideration of the application in accordance with the Officer's recommendation for the reason given in the written report.

6.4 41C125B/EIA/RE – Full application for the erection of three 800kW – 900kW wind turbines with a maximum hub height of up to 55m, rotor diameter of up to 52m and a maximum upright vertical tip height of up to 81m, the

improvements to the existing access to the A5025 road together with the erection of 3 equipment housing cabinets on land at Bryn Eyr Uchaf, Menai Bridge

It was RESOLVED to defer consideration of the application in accordance with the Officer's recommendation for the reason given in the written report.

6.5 42C114A – Outline application for the erection of an agricultural dwelling together with the installation of a septic tank at Tai'n Coed, Pentraeth

It was RESOLVED to defer consideration of the application in accordance with the Officer's recommendation for the reason given in the written report.

6.6 44C294B – Full application for the erection of two 20kW wind turbines with a maximum hub height of 20.5m, a rotor diameter of 13.1m and a maximum vertical upright height of 27.1m on land at Plas Newydd, Rhosybol

It was RESOLVED to defer consideration of the application in accordance with the Officer's recommendation for the reason given in the written report.

7 APPLICATIONS ARISING

7.1 34C655 – Full application for alterations and extensions at 2 Ty'n Coed, Uchaf, Llangefni

(Councillor Nicola Roberts declared an interest and left the meeting during discussion and voting thereon).

The application was brought to the Committee's attention as the applicant is related to a serving Councillor as defined within paragraph 4.6.10.2 of the Constitution. The application been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

The Planning Development Manager stated that the application was deferred at the last meeting due to a letter of objection had been received by the Planning Office the day before the Committee and the Officers had not had sufficient time to consider its contents. He noted that the Officers recommendation was still to approve the application.

Councillor K.P. Hughes proposed that the application be approved and Councillor R.O. Jones seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation, subject to the conditions contained within the report.

8 ECONOMIC APPLICATIONS

None were considered at this meeting.

9 AFFORDABLE HOUSING APPLICATIONS

None were considered at this meeting.

10 DEPARTURE APPLICATIONS

None were considered at this meeting.

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

11.1 13C183A – Outline application with access included for the erection of a dwelling together with alterations to the existing access and the installation of a package treatment plant on land adjacent to Seren Las, Bodedern

The application was brought to the attention of the Planning and Orders Committee as the applicant is a relevant officer of the authority. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

The Chair invited Councillor Llinos M. Huws, one of the Local Members to address the meeting.

Councillor Llinos M. Huws stated that the applicant has bought 25 acres of land near the village of Bodedern as an agricultural holding. She stated that this is a unique venture by a local young family these days. The Planning Officers have stated within the report that this application is in the open countryside. Councillor Huws noted that there are 3 dwellings near this application and a busy garage. She referred to Policy 55 and noted that the Welsh language needs to be protected and having a local Welsh family would be of an advantage to the local community. She further stated that as a Local Member she would suggest that the site be visited by the Planning and Orders Committee.

The Planning Development Manager stated that he wished to update the report submitted to the Committee. The Joint Planning Policy Unit has responded with objections to the application, Welsh Water and the Drainage Section have submitted no objection to the application. The Rights of Way Officer has stated that there is a public footpath near the site but do not object and the Highways Authority have stated that a better visibility splay is required from the site and the applicant has sufficient land to provide a relocated access. He noted that the application is clear in the countryside in terms of planning policies, 350m from the development boundary of Bodedern and is not within a cluster. The application submitted is not an agricultural dwelling. The recommendation was of refusal.

Councillor Jeff Evans proposed that the application be refused and Councillor K.P. Hughes seconded the proposal.

It was RESOLVED to refuse the application in accordance with the recommendation of the Officer's report.

11.2 36C272A – Full application for the erection of an agricultural shed to keep livestock at Cae'r Bwl, Rhostrehwfa

The application was brought to the attention of the Planning and Orders Committee as the applicant is a relevant officer of the authority. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

Councillor T. Victor Hughes proposed that the application be approved and Councillor R.O. Jones seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation, subject to the conditions contained within the report.

12 REMAINDER OF APPLICATIONS

12.1 19LPA989/CC – Full application for the replacement of three of the existing windows on the first and second floor of the front elevation with traditional timber sash windows at Rowlands Pharmacy, 62 Market Street, Holyhead

The application was brought to the Committee as the application is made by the Local Authority.

Councillor R.O. Jones proposed that the application be approved and Councillor John Griffith seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation, subject to the conditions contained within the report.

12.2 19LPA989A/AD/CC – Application for the erection of a non-illuminated projecting swing sign at Rowlands Pharmacy, 62 Market Street, Holyhead

The application was brought to the Committee as the application is made by the Local Authority.

Councillor Nicola Roberts proposed that the application be approved and Councillor Vaughan Hughes seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation, subject to the conditions contained within the report.

12.3 19LPA990/AD/CC – Application for the erection of a non-illuminated projecting swing sign at Siop y Porth, 60 Market Street, Holyhead

The application was brought to the Committee as the application is made by the Local Authority.

Councillor K.P. Hughes proposed that the application be approved and Councillor R.O. Jones seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation, subject to the conditions contained within the report.

13 OTHER MATTERS

13.1 23C84C – Application to determine whether prior approval is required for the erection of an agricultural shed for the storage of hay, straw and machinery at Penrhos, Maenaddwyn

The application was brought to the Committee as the applicant is an employee of the Council.

It was determined that prior approval of the Planning Authority was not required and that it constituted permitted development.

It was RESOLVED to note the report.

13.2 38C277B – Full application for the erection of a 50kW wind turbine with a maximum hub height of up to 24.6m, rotor diameter of up to 19.2m and a maximum upright vertical tip height of up to 34.2m and associated works on land at Caerdegog Uchaf, Llanfechell

The Legal Services Manager stated that the application brought to the meeting is not for a decision by the Committee as the applicant has decided to appeal to the Planning Inspectorate for Wales for non-determination of the application by the Authority. The Planning Officers are requesting guidance from the meeting as how to deal with such an appeal.

He stated that a late request had been submitted by the applicant to exercise the public speaking procedure of the Planning and Orders Committee. The Chair of the Committee was given legal advice at the pre-meeting and the Legal Services Manager had reiterated the advice to the applicant before the meeting. The legal advice to the Chair was not to allow public speaking as the application is not for determination by the Committee due to the fact that the applicant has decided to appeal against non-determination to the Planning Inspectorate; the Planning Officers have not prepared the report on the expectation that public speaking would entail on this application; it would create unfairness to the objectors had they wished to speak on the application. The Legal Services Manager reiterated his advice again that the Chair should not allow the applicant to speak in respect of his application.

The Planning Development Manager stated that the Officers have set out within the report the main issues of the principle of the development, Landscape and Visual Impact and Residential Amenities. Since the applicant has decided to appeal to the Planning Inspectorate against non-determination of the application the Planning Officers are confident to contest the appeal on the basis that there would be significant adverse Landscape and Visual effects on the setting of the AONB in the region together with significant adverse Cumulative Landscape and Visual effects of energy development on the AONB towards the edge of Landscape Character

Area 5. He ascertained if the Planning Committee were comfortable for the Planning Officers to contest the appeal on these issues stated.

Councillor K.P. Hughes stated that this is unique as there are over 100 letters of support of the application in the vicinity and with only a few objections. He stated that Caerdegog Uchaf is a 150 acre family farm with a milking herd of cattle. The farm is dependent on a large supply of electricity. He referred to one letter of objection which states that this application will not create new employment. Councillor Hughes believed it was as an important consideration that any business these days can protect and secure the current employment. He found it difficult to support the reasons for refusing the application as from one location near Mynydd y Garn he could see 32 wind turbines and a location near Mynachdy farm he could see 21 wind turbines together with the Wylfa Power Station. Councillor Hughes did not accept that approving one further turbine for the use of Caerdegog Uchaf would have an adverse effect on the landscape and on the AONB. He also referred to Rhyd y Groes farm which has a wind turbine, is much nearer the AONB location. Councillor Hughes further stated that he considered that this application does not affect residential amenities. He stated that he supported this application.

Councillor Lewis Davies questioned if this application is within or near the AONB and how many wind turbines are within this location? The Planning Development Manager responded that the site is near an AONB but could not say exactly how many wind turbines are within the vicinity. Councillor Davies considered that the application would have a harmful effect on the landscape and is near an AONB site and proposed that the application be refused. Councillor Jeff Evans seconded the proposal of refusal.

Councillor John Griffith stated that the New Wylfa is to be built in the vicinity of this application. However he stressed that the AONB needs to be protected but questioned if the Officers had considered that the New Wylfa will be near this application. The Planning Development Manager responded that the Officers have considered this matter.

Councillor Nicola Roberts questioned how near residential dwellings were to the site. The Planning Development Manager responded that Groes Fechan is the nearest residential dwelling which is over 400 metres south east of the site. Councillor Roberts further questioned what is the cost of contesting an appeal? The Planning Development Manager responded that it was impossible to give an exact cost figure but it was anticipated that it would entail the cost of Officers time in preparing for such an appeal. Councillor Nicola Roberts proposed that the application should be supported and Councillor K.P. Hughes seconded the proposal.

The voting was as follows :-

To support the application at the appeal, contrary to the recommendation of the Officer's :-

Councillors K.P. Hughes, Vaughan Hughes, W.T. Hughes, Nicola Roberts.

TOTAL 4

To contest the application at the appeal, in support of the Officer's recommendation:-

Councillors Lewis Davies, Jeffrey M. Evans, T. Victor Hughes, R.O. Jones.
TOTAL 4

Abstained from voting : Councillor John Griffith.

TOTAL 1

It was RESOLVED on the casting vote of the Chair to support the application at the appeal (a decision against the recommendations of the Officers).

As the decision was contrary to the recommendation of the Officer's, the matter is automatically deferred to be considered at the next meeting.

The reasons given to support the application at the appeal process was that the Members did not agree that there would be significant adverse Landscape and Visual effects on the setting of the AONB in the region of Mynydd y Garn and did not agree that significant adverse Cumulative Landscape and Visual effects of energy development on the AONB towards the edge of Landscape Character Area 5.

**COUNCILLOR W.T. HUGHES
CHAIR**