

Planning and Orders Committee

Minutes of the meeting held on 5 November 2014

- PRESENT:** Councillor William Thomas Hughes (Chair)
- Councillors Lewis Davies, John Griffith, K P Hughes, Vaughan Hughes, Victor Hughes, Richard Owain Jones, Raymond Jones, Jeffrey M. Evans and Nicola Roberts
- IN ATTENDANCE:** Development Control Manager (DFJ)
Planning Assistants
Legal Services Manager (RJ)
Committee Officer (MEH)
- APOLOGIES:** Councillor Ann Griffith
- ALSO PRESENT:** Councillor Arwel Roberts (Portfolio Holder Planning);
Councillor A.M. Jones (application 12.5 & 12.6).
-

1 APOLOGIES

Apology as noted above.

2 DECLARATION OF INTEREST

Councillor T.V. Hughes declared an interest in respect of application 12.7.

3 MINUTES

The minutes of the previous meeting of the Planning and Orders Committee held on 1 October, 2014 were presented and confirmed as correct.

4 SITE VISITS

None to be considered at this meeting.

5 PUBLIC SPEAKING

The Chair announced that there was a Public Speaker in relation to application 12.3.

6 APPLICATIONS THAT WILL BE DEFERRED

6.1 21C40A – Full application for the erection of an agricultural shed to house livestock and a slurry pit on land at Penrhyn Gwyn, Llanddaniel

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

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

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

6.3 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, Porthaethwy

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

7 APPLICATIONS ARISING

7.1 36C336 – Outline application for the erection of a dwelling with all matters reserved on land adjacent to Ffordd Meillion, Llangristiolus

The application was presented to the Planning and Orders Committee at the request of a local member. At its meeting held on the 1st October 2014 the Committee resolved to refuse the application contrary to Officer's recommendation.

The Development Control Manager reported that an additional letter by the applicant had been received. The Officer explained in details the response of the Officer's to the reasons given by the Committee at its last meeting for refusing the application. It was noted that it is considered that the application is compliant with the development plan policy and causes no demonstrable harm and the recommendation is still one of approval.

Councillor T. Victor Hughes speaking as Local Member drew attention to the following matters :-

- Referred to Policy 50 and stated that this application should not be considered under this policy;
- The effect on the Welsh language and character of the area at the village of Llangristiolus due to overdevelopment;
- 93 children in the village primary school with 35 of whom are from non-Welsh homes;
- The Welsh character of the village has been changed;

- Strong opposition to the application in the village;
- He opposed the application and asked the Committee's to reaffirm its decision at the last meeting to refuse the application.

He proposed that the application be refused.

The Development Control Manager said that the Committee needed to have a sound reason for refusing this application. If an appeal was to materialise then the Council would have difficulties in defending an appeal. He suggested that the Committee might consider visiting the site.

Councillor K.P. Hughes proposed that the site be visited and Councillor R.O. Jones seconded the proposal. Councillors Lewis Davies, Jeff Evans, John Griffith, T.V. Hughes Raymond Jones, Nicola Roberts voted against a site visit. The proposal was not carried.

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

Councillor T. Victor Hughes proposed that the application be refused and Councillor Lewis Davies seconded the proposal.

The voting was as follows :-

To reaffirm the decision of refusal of the application : Councillors Lewis Davies, John Griffith, T.V. Hughes, Vaughan Hughes, Raymond Jones, Nicola Roberts
Total 6

To approve the application in accordance with the Officer's recommendation :
 Councillors K.P. Hughes, R.O. Jones **Total 2**

The reasons given for refusal was that it did not conform with Policy 50; no local need for the development; allowing the proposal would set a precedent for further future development; the proposal lies outside the development boundary of the village and the proposal does not form a logical extension to the village.

It was resolved to reaffirm the decision of the Committee to refuse the application contrary to the recommendation of the Officers.

8 ECONOMIC APPLICATIONS

None were considered at this meeting of the Planning and Orders Committee.

9 AFFORDABLE HOUSING APPLICATIONS

None were considered at this meeting of the Planning and Orders Committee.

10 DEPARTURE APPLICATIONS

10.1 24C261A – Full application for the erection of a dwelling together with the construction of a vehicular access on land at Dafarn Drip, Penysarn

The application was presented to the Planning and Orders Committee as the application is contrary to the adopted Ynys Môn Local Plan but can be supported under the Stopped Unitary Development Plan.

Councillor Lewis Davies 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 set out in the written report.

10.2 37C26T/VAR – Application under Section 73 for the variation of conditions (02) and (03) of planning permission reference 37C26S (renewal of planning consent 37C26P for residential development) to re-new outline planning permission on land adjacent to Merddyn Gwyn, Brynsiencyn

The application was presented to the Planning and Orders Committee as an application which is in part contrary to the adopted Ynys Môn Local Plan but that can be supported under the Stopped Unitary Development Plan policy.

The Development Control Manager reported that this application is to renew the permission granted in October 2011. The application is an outline application but includes details of the site layout and means of access. 13 dwellings are proposed, 4 of which are to be affordable.

Councillor K.P. Hughes 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 set out in the written report.

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

11.1 28C354B/DEL – Application under Section 73 for the removal of conditions (07), (08) and (09) (conditions restricting the use of the unit for holiday purposes) from planning permission reference 28C354A (demolition of the existing outbuilding and the erection of a holiday unit) and replacement with single holiday occupancy conditions together with its use as an annexe to the dwelling at Glan y Gors, Llanfaelog

The application was presented to the Planning and Orders Committee as the applicant is an elected Member. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

The Development Control Manager reported that the application involves the third unit at the site. The current planning permission restricts the holiday letting of this unit to between 1st March and 31st January in any year and to no longer than 28 consecutive days per let. Planning policies have now identified that the holiday period has extended and there is no need to restrict the holiday lets. The applicant also wishes to seek permission for the use of the unit as an annexe to the dwelling at Glan y Gors in order to accommodate an ailing elderly relative.

Councillor Lewis Davies questioned if the approval of this application might cause a precedent in the future to allow development in the countryside and conversion of such a holiday let into a dwelling. The Development Control Manager responded that a register must be kept to record the use of the holiday let.

Councillor Vaughan Hughes proposed that the application be approved and Councillor Jeff Evans seconded the proposal.

Councillor Lewis Davies wished it to be noted that he did not vote in respect of this application as he considered that such an application can set a precedent in the future with more applications being received to convert holiday lets into dwellings.

It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions set out in the written report.

11.2 30C728B/DEL – Application under Section 73 for the removal of conditions (10), (11) and (12) (Code for Sustainable Homes) from planning permission reference 30C728 (outline application for the erection of a dwelling) on plot 3, on land adjacent to Meusydd, Llanbedrgoch

The application was presented to the Planning and Orders Committee as the applicant is employed by the Local Authority and is a relevant Officer as defined within paragraph 4.6.10.4 of the Constitution. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

Councillor Lewis Davies proposed that the application be approved and Councillor Nicola Roberts seconded the proposal.

It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions set out in the written report.

12 REMAINDER OF APPLICATIONS

12.1 11LPA896D/CC – Outline application with some matters reserved for the erection of 40 residential units on land near Maes Mona, Amlwch

The application was presented to the Planning and Orders Committee as the County Council is the applicant and the land owner.

The Development Control Manager reported that the application is for 40 dwellings of which 30% will be affordable housing. The application is accompanied by a detailed topographical plan of the vehicular access onto A5025 'Bull Bay Road'

including the proposed vision splays; Ecological Scoping Report; full foul and surface water drainage details and a Welsh Language Assessment. The Council's Lifelong Learning has requested a financial contribution towards facilities at Ysgol Gynradd Amlwch.

Councillor R.O. Jones as one of the local members stated that he would like confirmation as to the location of the housing development and the proposed Extra Care facility before the full detail plans are submitted in due course.

Councillor R.O. Jones proposed that the application be approved and Councillor Lewis Davies seconded the proposal.

It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions set out in the written report.

12.2 15C91D – Full application for the demolition of the exiting garden room together with the erection of a swimming pool building in its place at Ty Canol, Malltraeth

The application was presented to the Planning and Orders Committee at the request of Councillor Ann Griffith a Local Member.

The Development Control Manager reported that a letter of objection had been received since the writing of this report. It was noted that the land in the area is marshy and prone to flooding and the disposal of the water from the swimming pool will be need to be investigate to make sure that there are no effects on the agricultural land at the rear of the property.

Councillor Lewis Davies stated that Malltraeth is within an AONB area and questioned if the AONB Officer had been consulted in respect of this application. The Development Control Manager responded that the AONB boundary is the road in front of this property and that the AONB Officer of the Council has not been consulted.

Councillor Lewis Davies proposed that the application be deferred to allow consultation with the AONB Officer of the County Council. Councillor Nicola Roberts seconded the proposal.

It was resolved to defer consideration of the application to allow for consultation with the AONB Officer and Highways Officers in respect of this application.

12.3 39C305C – Full application for alterations and extensions at 5 Cambria Road, Menai Bridge

The application was presented to the Planning and Orders Committee at the request of a Local Member.

The Chair invited Mr. J. Cole to address the Committee as the applicant.

Mr. Cole stated that they have not been able to move into the property since January, largely due to the collapse of Cambria Road due to last winter's heavy rain. The application is a proposal to improve the property in the context of the conservation area. This application consists of two elements; both centred around the transfer of the living area to the first floor i.e., the replacement of two first floor windows with french windows. This will improve the view and reduce lighting costs; building a galvanised steel bridge to the rear, linking the first floor to a small raised existing garden. In respect of this re-application, they have listened to the comments of neighbours and the Conservation Officer, and this proposal is to include pitched roofs at the front and the substitution of a planned extension to the rear with a bridging structure.

Councillor John Griffith questioned if the construction of the ramp will be for the use of other pedestrians? Mr. Cole responded that it will be a means of direct access to a pre-existing small garden area at the back of the property and a means for a fire escape.

Councillor Lewis Davies proposed that the application be approved and Councillor K.P. Hughes seconded the proposal.

It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions set out in the written report.

12.4 40C233B/VAR – Application to vary condition (01) (The track hereby approved shall be retained for agricultural purpose only) from planning permission 40C233 to allow the track to be retained for the purpose of agriculture and vehicle movement for the operational requirements of Tyddyn Isaf Caravan Park only at The Owls, Dulas

The application was presented to the Planning and Orders Committee at the request of Councillor D.R. Hughes as a Local Member.

The Development Control Manager reported that the highways department consider that since there is an existing use for agricultural vehicles to use this private highway therefore the proposed use would not have a detrimental effect on the existing access and adopted highway. He noted that Councillor D.R. Hughes has requested that the site be visited to allow Members to view the site.

Councillor Nicola Roberts proposed that the site be visited and Councillor Lewis Davies seconded the proposal.

The reasons for the proposal was to allow the Members to view the effect on the AONB and the surrounding landscape.

It was resolved that the site be visited to allow Members to view the site.

12.5 44C311 – Outline application with some matters reserved for the erection of one dwelling on land adjacent to 4 Council Houses, Rhosgoch

The application was presented to the Planning and Orders Committee at the request of Councillor Aled M. Jones a Local Member.

The Development Control Manager reported that the proposal would be in a position not well related to the settlement as there are no dwellings on the opposite side of the road and the site is elevated. It is considered that the proposed dwelling would unacceptably harm the appearance of the location, intruding into an open rural landscape.

Councillor Aled M. Jones as a Local Member stated that this proposal is at the edge of the village of Rhosgoch and near the Council Houses that this authority built many years ago. He considered that the development is covered by Policy 50 which is a development at the edge of a settlement. Councillor Jones stated that opposite the application site there are 2 large wind turbines. He considered that this application is not a departure and should be approved.

Councillor R.O. Jones said that he wished to support what Councillor Aled M. Jones had stated and considered that this proposed dwelling would not harm the landscape and conforms with Policy 50. He proposed that the application be approved. Councillor Jeff Evans seconded the proposal.

Councillor T.V. Hughes considered that the proposed application may cause a precedent in the area with another extension into the countryside. Councillor Hughes proposed that the application be refused and Councillor Lewis Davies seconded the proposal.

The voting was as follows :-

To approve the application contrary to the Officer's recommendation :-

Councillors Jeff Evans, John Griffith, Kenneth P. Hughes, Vaughan Hughes, R.O. Jones, Nicola Roberts **Total 6**

To refuse the application in accordance with the Officer's recommendation :-

Councillors Lewis Davies, T.V. Hughes, Raymond Jones **Total 3**

It was RESOLVED to approve the application contrary to the Officer's recommendation for the reasons that the proposal complied with policy 50 and did not have any harmful effect on the landscape.

In accordance with the requirements of the Council's Constitution, the application will be automatically deferred to the next meeting to allow the Officers to respond to the reasons cited for approving the application.

12.6 44LPA1005/TPO/CC – Application to remove 2 ash trees and 3 sycamore trees protected under a Tree Preservation Order at Ty'n y Ffrwd, Rhosybol

The application was presented to the Planning and Orders Committee as the application is on Council owned land.

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

It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions set out in the written report.

12.7 46C192B/FR – Full application for the placement of rock armour to the front of the existing gabion wall structure at Dinghy Park, Porth Castell, Ravenspoint Road, Trearddur Bay

(Councillor T.V. Hughes declared an interest and left the meeting during discussion and voting thereon).

The application was presented to the Planning and Orders Committee at the request of Councillor D.R. Thomas a Local Member.

Councillor R.O. Jones stated that the Local Member had requested that the site be visited to allow the Members to view the effect on the coastline and the AONB area. Councillor Nicola Roberts seconded the proposal.

It was resolved that the site be visited to allow Members to view the site.

13 OTHER MATTERS

13.1 28LPA970A/CC/MIN – Minor amendments to scheme previously approved under 28LPA970/CC at Beach Road, Rhosneigr

The Development Control Manager reported that the original application entailed public realm improvements to the beach access. The proposed amendments entailed changes in the materials used and given the relatively minor nature of the proposed amendments, it was not considered that the proposed changes would have a material impact on the scheme and the area. It was proposed that alterations were deemed to be non-material and were consequently approved under Section 96A of the Town and Country Planning Act 1990.

It was resolved to note the information.

13.2 34C40Z/EIA/ECON – Erection of a new Biomass Energy Plant comprising of a wood pellet plant, a biomass combined heat power plant, debarking and chipping plant, wood storage yard and construction of a new vehicle access on land adjacent to Peboc, Industrial Estate, Llangefni

The Development Control Manager reported that following the refusal of the above planning application by the Planning and Orders Committee on 2nd May, 2012 the applicant appealed against the Council's decision. In accordance with paragraph 3.11.2 Planning Policy Wales (Revision 6, February 2014) it was decided that this appeal decision would be of national interest so Welsh Government gave the Minister of Housing and Regeneration the power to determine the appeal.

The appeal was subject of a public inquiry which was held in January 2014 when it was decided to defend the Council's decision. On August 2014 correspondence was received from the Housing and Regeneration Minister refusing the appeal.

It was resolved to note the information.

**COUNCILLOR W T HUGHES
CHAIR**