

Planning and Orders Committee

Minutes of the meeting held on 6 April 2016

- PRESENT:** Councillor W.T. Hughes (Chair)
Councillor Ann Griffith (Vice-Chair)
- Councillors Lewis Davies, Jeff Evans, John Griffith, Kenneth Hughes, Vaughan Hughes, Victor Hughes, Richard Owain Jones, Nicola Roberts
- IN ATTENDANCE:** Planning Development Manager
Planning Assistant
Highways Officer (JAR)
Development Control Engineer (Major Projects) (GG)
Committee Officer (ATH)
- APOLOGIES:** None
- ALSO PRESENT:** Local Members:, Councillor R.G. Parry, OBE (application 12.1),
Councillor R. Meirion Jones (application 12.2)
- Councillors Richard Dew (Portfolio Member for Planning), Jim Evans, Llinos Medi Huws, H. Eifion Jones, Ieuan Williams
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1 APOLOGIES

No apology for absence was received.

2 DECLARATION OF INTEREST

Declarations of interest were made as follows –

Councillor W.T. Hughes declared a prejudicial interest with regard to application 6.1

Councillor Ann Griffith declared an interest with regard to application 6.1 on the basis of the reference made to wind turbines in the Plaid Cymru Manifesto. She also declared a personal interest with regard to application 7.1 and a personal and prejudicial interest with regard to application 7.2

Councillor Nicola Roberts declared an interest with regard to application 6.1 on the basis of the reference made to wind turbines in the Plaid Cymru Manifesto and also a personal and prejudicial interest with regard to application 7.1

Councillors Lewis Davies, John Griffith, and Vaughan Hughes declared an interest with regard to application 6.1 on the basis of the reference made to wind turbines in the Plaid Cymru Manifesto.

3 MINUTES 2ND MARCH, 2016 MEETING

The minutes of the previous meeting of the Planning and Orders Committee held on 2 March, 2016 were presented and confirmed as correct subject to noting that the Vice-Chair had requested that the minutes of the previous meeting (i.e. the 2nd February meeting) be amended under application 7.5 - Gorslwyd Fawr, Rhosybol - to include fully her comments that she was unhappy that a Local Member was “gesticulating, shouting out and putting pressure” on the Committee’s Members when the application was under consideration.

4 SITE VISITS

No site visits took place.

5 PUBLIC SPEAKING

The Chair announced there would be Public Speakers in respect of application 11.2.

6 APPLICATIONS THAT WILL BE DEFERRED

6.1 20C102L//EIA/RE – Full application for the erection of 13 wind turbines comprising of 9 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 79m, and 4 900kw wind turbines with a maximum hub height of up to 45m, rotor diameter of up to 52m, and a maximum upright vertical tip height of up to 70m, together with the creation of crane pads, foundations, underground electricity cables, improvements to parts of the existing track, works to the highway, the creation of new access tracks, an extension to the existing 33kv substation, the erection of a new 11kv substation, the erection of an anemometer and temporary construction and storage compounds and batching plant (which would also entail the de-commissioning of the existing wind farm) at Rhyd y Groes Wind Farm, Rhosgoch

Having declared a prejudicial interest in this application, Councillor W.T. Hughes, the Chair, withdrew from the meeting for the consideration and determination thereof. Councillor Ann Griffith, the Vice-Chair chaired the item.

The Planning Development Manager reported that the site visit scheduled for 16 March, 2016 was deferred at the request of the applicant pending the outcome of discussions with Natural Resources Wales to agree possible measures aimed at mitigating impacts on the nearby Area of Outstanding Natural Beauty. The discussions are ongoing and it is not foreseen they will reach a conclusion in time to allow a site visit to be scheduled in April. As those discussions may lead to material changes to the application it is considered sensible therefore to defer a site visit at this time.

It was resolved to defer the application in accordance with the Officer’s recommendation in order to rearrange a site visit.

6.2 39C561/FR/TR – Full application for the erection of a Zorb Centre together with the construction of a vehicular access and car park on land at The Lodge, Holyhead Road, 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.

7 APPLICATIONS ARISING

7.1 44C320 – Outline application for the erection of a dwelling with all matters reserved on land near Gorslywd Fawr, Rhosybol

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

Having declared a prejudicial interest in this application, Councillor Nicola Roberts withdrew from the meeting for the discussion and determination thereof.

The Planning Development Manager reported that when the application was originally considered by the Committee at its January, 2016, meeting the Officer's recommendation was to refuse the application because of the location of the proposal. The Committee resolved to approve the application contrary to the Officer's recommendation and when under the terms of the Council's Constitution the application was re-presented at the following month's meeting it was deferred to allow a site visit to be undertaken as resolved by the Committee, and was deferred again at the March, 2016 meeting at the request of the applicants in order to give them further time to address issues raised by the Committee's Members. The applicant has now confirmed that the reason for deferring was in order to fully investigate issues in relation to a connection to the existing public sewers before proceeding. The Officer said that the applicants have since confirmed that the investigations have found that a connection to the existing public sewers is not a feasible option for the reasons outlined in the written report. The additional information provided by the applicant does not change the Officer's recommendation of refusal on the basis that the application site will be identifiable as an isolated feature in the landscape and will not form an integral part of the existing developed part of the village.

Councillor Richard Owain Jones, speaking as a Local Member said that he did not believe the proposed development would be especially visible and that it would not add to the existing effect already created by the two dwellings in the vicinity. He said that he was therefore supportive of the proposal.

Councillor Jeff Evans agreed with the Local Member and said that assessing whether or not the proposed development forms a reasonable minor extension to the village is a matter of judgement and that it was his opinion that in this instance the proposal is capable of being so considered and would not constitute an undesirable intrusion into the landscape. Given that Planning Policy Wales states that each application should be considered on its merits, he did not believe the proposal would necessarily set a precedent for further future proposals. He proposed that the Committee's original decision be reaffirmed and the application approved contrary to the Officer's recommendation.

Councillor Kenneth Hughes was also in favour of the proposal for the same reasons and because he deemed it would not be detrimental to the character of the area, nor would it make it difficult to reject future development proposals in that area. He said that as far as planning policy allows, and in this case he believed it does, there is a duty on councillors to support young families wishing to settle within their community. Arriving at a decision on the application is a matter of judgement and in his opinion there was no reason to refuse the application. He therefore supported the proposal of approval.

Councillors Lewis Davies, Ann Griffith, John Griffith and Victor Hughes took the opposite view and were against the application due to the following issues which they had noted during the site visit –

- The application site is situated on a hillock and is surrounded by open countryside

- Potential drainage/sewerage issues requiring further investigation
- A less than ideal access to the application site along a single, unlit farm track
- Imperfect visibility caused by overgrown hedges above a stone wall on the one side and four utility poles on the other side thus making the access to the highway potentially hazardous. The access also connects with the main highway at a point where there are sharp bends.
- The proposed development in addition to the two relatively new dwellings in the vicinity (approved contrary to the Officer's recommendation in 2008 and 2010) will lead to increased usage of the track thus raising issues of highway safety.
- The proposal will extend the village beyond the developed part of the settlement in an inappropriate way up a farm track and into the countryside and is likely to set a precedent for further future development in this area.

Councillor Victor Hughes said he strongly opposed the application and proposed refusal in accordance with the Officer's recommendation. Councillor Lewis Davies supported the proposal.

In response to a request by the Committee for clarification of the Highways Department's view, the Highways Officer said that it was a condition of the approval of the application in 2010 that the applicant should improve the access so as to ensure the maximum possible visibility under current standards which the applicant undertook. Ensuring that the hedges are managed and cut back regularly so that the optimum visibility level is maintained is a matter for the Enforcement Section. That being done, then the access is compliant with standards. The proposal cannot be refused on those grounds because the visibility was accepted as part of the approval given in 2010. The first 5m of the access is sufficient to accommodate two vehicles. As the road is a private road the Highways Authority is not able to insist that improvements are made to it. The Highways Department is not in possession of any information to indicate the occurrence of accidents or near misses on the highway, so on that basis the access cannot be said to be hazardous. Should an accident occur then it would not be the responsibility of the Council as the access has been designed in accordance with rural standards which form part of Planning Policy Wales.

In response to clarification whether approving the proposal would set a precedent for possible future development, the Planning Development Manager said that the proposed development reinforces development within the countryside thereby undermining the application of Policy 50. There are two existing dwellings in the area which in themselves have led to a change in the character of the area which forms a consideration; should this application be approved and were a further proposal to be submitted in future then the existence of another dwelling would be a factor to be assessed at that time.

In the ensuing vote on the matter, Councillors Jeff Evans, Kenneth Hughes, Richard Owain Jones and W.T. Hughes voted to reaffirm the Committee's approval of the application contrary to the Officer's recommendation. Councillors Lewis Davies, John Griffith, Victor Hughes and Ann Griffith voted to refuse the application. Councillor Vaughan Hughes abstained because he had not been present on the site visit. The proposal to approve the application contrary to the Officer's recommendation was carried on the casting vote of the Chair.

It was resolved to reaffirm the previous decision to approve the application contrary to the Officer's recommendation.

7.2 45LPA605A/CC – Outline application with all matters reserved for the erection of 17 new dwellings, demolition of the existing toilet block together with the creation of a new vehicular access on land adjacent to Dwyryd, Newborough

The application is presented to the Planning and Orders Committee as it is made by the Council on Council owned land. Both Local Members have indicated that they wish to call in the application for determination by the Committee.

Having declared a prejudicial interest in this application, Councillor Ann Griffith withdrew from the meeting for the consideration thereof.

It was resolved to note that the application had now been withdrawn.

8 ECONOMIC APPLICATIONS

None were considered by this meeting.

9 AFFORDABLE HOUSING APPLICATIONS

None were considered by this meeting.

10 DEPARTURE APPLICATIONS

None were considered by this meeting.

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

11.1 28C186C – Full application for change of use of existing outbuildings into three dwellings at Ty Newydd, Llanfaelog

The application is presented to the Planning and Orders Committee as the applicant is related to a relevant officer as defined by paragraph 4.6.10.2 of the Council's Constitution. The application has been scrutinised by the Monitoring Officer as required under the said paragraph.

The Planning Development Manager reported that the proposed conversion of the existing outbuildings into three dwellings is supported by policy and planning permission has already been granted for the proposal in 2009 but has now lapsed. There have been no material changes in the local and national policies governing this type of development in the intervening period and it is the Officer's opinion that the design of the proposal respects the character and appearance of the existing building and will not have a detrimental impact on the amenities of the neighbouring properties, surrounding area or highway safety.

Councillor Lewis Davies proposed that the application be approved and the proposal was seconded by Councillor Kenneth Hughes.

It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions listed in the written report. (Councillor Ann Griffith abstained from voting)

11.2 45C83E – Full application for conversion of the existing workshop into three dwellings at Tre Wen, Pen Lôn, Newborough

The application is presented to the Planning and Orders Committee as the applicant is related to a relevant officer. The application has been scrutinised by the Council's Monitoring Officer.

Mr Gwyndaf Rowlands, a Public Speaker addressed the Committee in opposition to the application and cited impacts on the character of the area which is an Area of Outstanding Natural Beauty; the setting of a new precedent for this area; overdevelopment and access issues as grounds for objection.

Mr Richard Owen spoke on behalf of his parents, the applicants in favour of the proposal and he said that the proposal complies with policy and that every effort will be made to ensure it blends in with its surroundings by making as few changes as possible to the appearance of the existing building. There are no objections by the Landscape Section and there will be no amenity impacts as regards existing housing. In response to a question by the Committee as regards whom the three proposed dwellings would cater for, Mr Owen clarified that whilst they would enable future generations of the family to remain within the community, they could also in the meantime be utilised as holiday lets.

The Planning Development Manager reported that no written objections to the proposal had been received apart from an unspecified objection by the Community Council. In terms of the principle of development this type of development is supported by policy which does not place any restriction on usage. The scheme retains the character and form of the existing building and it is not considered it will lead to any unacceptable impact on the designated landscape of the AONB; neither is it considered it will result in any amenity impacts. There are no technical or highway issues arising and the recommendation is therefore one of approval.

The Highways Officer said that the car parking condition suggested by the Highways Department relates to the need for the site to comply with parking standards; the Officer confirmed that the plan sets out the spaces available and the condition serves to ensure that the parking arrangements are in line with the details submitted as part of the application.

The Committee noted that as Rhosyr Community Council had not made explicit its objection to the proposal it was difficult to give weight to it.

Councillor Ann Griffith speaking as a Local Member said that she had not received any representations either way regarding the proposal but was disappointed that the Community Council had not put forward a planning reason for objecting to it. She referred to the number of newly built properties in the village which become holiday homes and are empty for most of the year and said that Newborough is fast becoming a form of Rhosneigr by the sea. These are properties which are beyond the financial reach of local people and she saw no local need for this further development which she believed to be overdevelopment in an Area of Outstanding Natural Beauty. She proposed that the application be refused. There was no seconder to the proposal.

Councillor Jeff Evans proposed that the application be approved and the proposal was seconded by Councillor Kenneth Hughes.

It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions listed in the written report. (Councillors Nicola Roberts and Victor Hughes abstained from voting)

12 REMAINDER OF APPLICATIONS

12.1 16C201 – Full application for change of use of chapel into two dwellings which include a balcony at Capel Salem, Bryngwran

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

Councillor R.G. Parry, OBE, a Local Member requested that the application site be visited by the Committee because of parking and highway safety concerns.

Councillor Lewis Davies proposed that a site visit be undertaken and his proposal was seconded by Councillor John Griffith.

It was resolved to visit the application site in accordance with the Local Member's request for the reason given.

12.2 21C210H – Full application for the erection of a dwelling which includes a balcony, erection of a detached garage together with the construction of a vehicular access on land at Graig, Lôn Graig, Llanfairpwllgwyngyll

The application is presented to the Planning and Orders Committee at the request of the Committee's Vice-Chairperson.

Councillor R. Meirion Jones, a Local Member requested that the application site be visited by the Committee so that Members could better appreciate the local concerns with regard to visual and amenity impacts, and highway safety.

Councillor Lewis Davies proposed that a site visit be undertaken and his proposal was seconded by Councillor Victor Hughes.

It was resolved to visit the application site in accordance with the Local Member's request for the reason given.

13 OTHER MATTERS

None were considered by this meeting.

**Councillor W.T. Hughes
Chair**