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**CYNGOR SIR
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ISLE OF ANGLESEY
COUNTY COUNCIL**

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RHYBUDD O GYFARFOD	NOTICE OF MEETING
PWYLLGOR CYNLLUNIO A GORCHMYNION	PLANNING AND ORDERS COMMITTEE
DYDD MERCHER, 2 RHAGFYR, 2020 am 1.00 o'r gloch yp	WEDNESDAY, 2 DECEMBER 2020 at 1.00 pm
CYFARFOD RHITHIOL (AR HYN O BRYD NID OES MODD I'R CYHOEDD FYNYCHU'R CYFARFOD)	VIRTUAL MEETING (AT PRESENT MEMBERS OF THE PUBLIC ARE UNABLE TO ATTEND)
Swyddog Pwyllgor	Mrs Mairwen Hughes (01248) 752516 Committee Officer

AELODAU / MEMBERS

Cynghorwyr / Councillors:

**John Griffith
Glyn Haynes
T LI Hughes MBE
K P Hughes
Vaughan Hughes
Richard O Jones (Is-Gadeirydd/Vice-Chair)
Eric Wyn Jones
Dafydd Roberts
Nicola Roberts (Cadeirydd/Chair)
Robin Williams**

1 Sedd Wag/Vacant Seat

At present this Committee is not being webcast live. A recording of the meeting will be made available on the Council's website as soon as possible.

A g e n d a

Any additional information to hand following publication of reports will be verbally reported upon to the meeting.

Before a decision notice is released conditions of approval or reasons for refusal given in written reports may be subject to minor amendments to account for typographical errors.

MEMBERS OF THE PLANNING AND ORDERS COMMITTEE

**John Griffith
Glyn Haynes
T LI Hughes MBE
K P Hughes
Vaughan Hughes
Richard O Jones (Is-Gadeirydd/Vice-Chair)
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1 Sedd Wag/Vacant Seat

Index – This Link to the Public Register is provided for each individual application as shown.

1 APOLOGIES

2 DECLARATION OF INTEREST

To receive any declaration of interest by any Member or Officer in respect of any item of business.

3 MINUTES_(Pages 1 - 10)

To submit the minutes of the previous meeting of the Planning and Orders Committee held on 4 November, 2020.

4 SITE VISITS

No site visits convened.

5 PUBLIC SPEAKING

6 APPLICATIONS THAT WILL BE DEFERRED

None to be considered by this meeting of the Planning and Orders Committee.

At present this Committee is not being webcast live. A recording of the meeting will be made available on the Council's website as soon as possible.

7 APPLICATIONS ARISING_ (Pages 11 - 36)

7.1 – FPL/2019/217 – Craig y Don Estate & Cherry Tree Close, Benllech

https://ioacc.force.com/s/papplication/a1G4H00000JsypUAB/fpl2019217?language=en_GB

7.2 – 19C1231 - Cae Rhos Estate, Porthdafarch Road, Holyhead.

https://ioacc.force.com/s/papplication/a1G5800000HzFxcEAF/19c1231?language=en_GB

7.3 – FPL/2020/92– 3 Bronallt, Cambria Road, Menai Bridge

https://ioacc.force.com/s/papplication/a1G4H00000MgBp6UAF/fpl202092?language=en_GB

8 ECONOMIC APPLICATIONS

None considered by this meeting of the Planning and Orders Committee.

9 AFFORDABLE HOUSING APPLICATIONS

None considered by this meeting of the Planning and Orders Committee.

10 DEPARTURE APPLICATIONS

None considered by this meeting of the Planning and Orders Committee.

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

None considered by this meeting of the Planning and Orders Committee.

12 REMAINDER OF APPLICATIONS_ (Pages 37 - 50)

12.1 – FPL/2020/166 – Cymunod, Bryngwran

https://ioacc.force.com/s/papplication/a1G4H00000MiVHYUA3/fpl2020166?language=en_GB

12.2 – FPL/2019/322 – Christ Church, Rhosybol

https://ioacc.force.com/s/papplication/a1G4H00000Iwx9OUAR/fpl2019322?language=en_GB

13 OTHER MATTERS_ (Pages 51 - 58)

13.1 – Report on Public Speaking at the Planning and Orders Committee

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PLANNING AND ORDERS COMMITTEE

Minutes of the virtual meeting held on 4 November, 2020

- PRESENT:** Councillor Richard Owain Jones (Vice-Chair) (In the Chair)
- Councillors John Griffith, Glyn Haynes, Trefor Lloyd Hughes MBE, Kenneth Hughes, Vaughan Hughes, Eric Wyn Jones, Bryan Owen, Dafydd Roberts, Robin Williams
- Local Members: Councillors Margaret M Roberts (for application 7.1), Llinos Medi (for application 7.2), Alun Mummery and R.Meirion Jones (for application 7.4), Dafydd Rhys Thomas (for application 7.5)
- IN ATTENDANCE:** Development Management Manager (NJ)
Planning Officer (CR)
Development Management Engineer (Highways) (JAPR)
Legal Services Manager (RJ)
Committee Officer (ATH)
- APOLOGIES:** Councillor Nicola Roberts (Chair)
- ALSO PRESENT:** Councillor Richard Dew (Portfolio Member for Planning and Public Protection), Councillor Aled M.Jones, Councillor Bryan Owen, Councillor R.G.Parry, OBE, FRAGS, Mr Gareth Wyn Williams (Local Democracy Reporter)
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1. APOLOGIES

The apology for absence by the Chair of the Committee was noted. Councillor R.O.Jones serving as Chair for this meeting extended his and the Committee's best wishes to Councillor Nicola Roberts for a speedy recovery.

2. DECLARATION OF INTEREST

No declaration of interest was made.

3. MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting of the Planning and Orders Committee held on 7 October, 2020 were presented and were confirmed as correct.

4. SITE VISITS

The minutes of the virtual site visit held on 21 October, 2020 were presented and were confirmed as correct.

5. PUBLIC SPEAKING

Representations made by an objector and a supporter with regard to application 7.4 were read out in full at the meeting.

6. APPLICATIONS THAT WILL BE DEFERRED

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

7. APPLICATIONS ARISING

7.1 FPL/2019/217 – Full planning application for the erection of 17 affordable dwellings, construction of two new vehicular and 3 new agricultural accesses, installation of a pumping station together with soft and hard landscaping on land adjacent to Craig y Don Estate and Cherry Tree Close, Benllech

The application was reported to the Planning and Orders Committee having been called for the Committee's determination by two of the Local Members.

The Development Management Manager reported that consideration of the application had been deferred at the Committee's 7 October, 2020 meeting following the receipt of a letter from Welsh Government prohibiting it from approving the application pending a decision by the Minister as to whether or not to call-in the application a request having been submitted to that effect. The Officer confirmed that that remains the situation and that the recommendation therefore continues to be one of deferral.

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

7.2 47C151B – Full application for the erection of six 5 metre high floodlights for the manège at Ty'n Ffordd, Elim

The application was reported to the Planning and Orders Committee having been called in by a Local Member due to concerns about the proposed lighting in connection with nearby residential dwellings. At its meeting held on 7 October, 2020, the Committee resolved to refuse the application contrary to the Officer's recommendation on the grounds of the proposal's impact on the neighbouring properties, on the locality and on the Dark Skies.

The Development Management Manager reported that the Officer's report addresses the reasons given for refusing the application at the Committee's previous meeting. With regard to impact on neighbouring properties and on the surrounding amenities she advised that the manège will be used as a private facility at all times and that the floodlights are meant to enable use of the facility during the winter months. Any planning consent would be conditional upon usage of the floodlights being restricted to the hours between 17.00 to 20.00 during the months from November to the end of February; additionally the floodlights would at all times be required to point towards the manège to minimise any intrusive light spillage thereby mitigating any impact on both amenities and the Dark Skies. A further condition requires the erection of a fence in the interest of amenity. No objections have been raised by consultees who advise conditional approval. The recommendation therefore remains to approve the application.

Councillor Kenneth Hughes observed that the proposal by virtue of its being located in the centre of the hamlet will have an impact on the amenities of residents which he found unacceptable and on that basis he proposed that the Committee's previous decision to refuse the application contrary to the Officer's recommendation be reaffirmed. Councillor Robin Williams seconded the proposal.

Councillor John Griffith reminded the Committee of the special character of Elim as a small, attractive rural hamlet with narrow roads providing an ideal place in which to live. The application is made in a wholly rural location and despite the fact that a previous application

for a manège contained a specific condition that no external lighting should be used for the facility. The Officer's report refers to the Dark Skies Officer's observations who confirms the desirability of Elim as an area in which to view and appreciate Dark Skies commenting also that any intrusive and obtrusive night light will have an adverse effect on the dark sky. Councillor Griffiths thought that positioning the floodlights so that they are pointing downwards will leave a darkened area at the centre of the facility meaning there might be a temptation to raise the lights with resulting effects on neighbours. He referred to the representations made by Ms Paula Bond opposing the proposal which were read out at the previous meeting and which described the distress the floodlights would likely cause her mother in law whose poor health made her vulnerable. Policy CYFF 2 specifies that planning permission will be refused where the proposed development would have an unacceptable adverse impact on the health, safety or amenity of occupiers of local residences, other land and property uses or characteristics of the locality due to amongst other considerations – light pollution. Councillor Griffiths said that floodlights of this nature are incompatible with a rural area and he confirmed his continuing opposition to the proposal.

The Development Management Manager advised that the applicant has engaged in extensive discussions in order to arrive at a scheme that can be appropriately conditioned. Guidance states that where possible development should be supported with conditions hence the recommendation of approval but accepting that there is a difference of opinion in this instance.

Councillor Eric Jones agreed with the Officer in finding the proposal acceptable pointing out that conditions will regulate the use of the lighting thereby minimising any impact on residents and on the Dark Skies. He saw the need for the floodlights accepting that the best facilities are required in the competitive field of equestrianism and on that basis he proposed that the application be approved. The proposal was seconded by Councillor Richard Owain Jones.

In the ensuing vote the proposal to reaffirm the Committee's previous decision to refuse the application was carried.

It was resolved to reaffirm the Committee's previous decision to refuse the application contrary to the Officer's recommendation for the reasons given.

7.3 FPL/2020/45 – Full application to increase the number of touring caravans (an extra 23) from 15 to 38 on the site at Talli Ho, Prys Iorwerth Uchaf, Bethel, Bodorgan

The application was presented to the Planning and Orders Committee at the request of a Local Member. At its meeting held on the 7th October, 2020, the Committee resolved to refuse the application contrary to the Officer's recommendation because it deemed the site was not in a sustainable location and because of overprovision of such development in the area.

The Development Management Manager reported that the proposal involves increasing the number of seasonal pitches from 15 to 38 and advised that the application site is not being increased with the area of land that will accommodate the 38 touring caravans corresponding to that granted planning permission under the previous planning application. The site can be accessed via the B4422 thereby satisfying Criteria 5 of Policy TWR5 which states that sites should be close to the main highway network. A bus stop is located 0.69m away from the application site with a good variety of public rights of way in the immediate area. It is therefore considered that the application site is in a sustainable location and meets the required Strategic Policy PS4 of the Joint Local Development Plan. A Travel Plan to manage vehicles arriving and departing the site has been received and condition (03) will be amended to reflect the provision of the Plan. With regards to overprovision of this type of

development, the Officer further advised that although Policy TWR3 does recognise that many coastal areas including parts of Areas of Outstanding Natural Beauty are under pressure the application site is not near a coastal area nor within an AONB. Neither is it considered that the proposal will have a detrimental impact on the Special Landscape Area in which it is located with further landscaping proposals to be undertaken as part of the application. The proposal is considered to align with material policies and is acceptable; the recommendation remains one of approval.

Despite some reservations regarding the development the majority of the Committee's members acknowledged the policy justification for the proposal and were therefore minded to approve the application recognising also the importance of the tourism and the visitor economy to the Island. Councillor Eric Jones referring to the JLDP cited tourism as bringing in £238m into Anglesey's local economy and accepted that the proposal is in line with Policies TWR3 and TWR5.

Councillor Kenneth Hughes proposed that the application be approved, seconded by Councillor Eric Jones.

Councillor Dafydd Roberts clarified that he was concerned about sustainability in the wider sense in that an increase in the number of touring caravans on the application site would lead to increased car usage in and around the area and further afield as the caravan occupiers make trips to the coast potentially leading to gridlocked roads which are not conducive to tourism and which could in turn impact on amenities. He proposed that the application be refused; the proposal was not seconded.

The Development Management Manager advised that Policy TWR 5 supports this kind of development and that the considerations to which Councillor Roberts refer have been assessed in formulating policy which acknowledges the importance of tourism.

It was resolved to approve the application in accordance with the Officer's recommendation and report subject to the conditions listed therein and subject also to amending condition (03) to reflect the provision of a Travel Plan.

7.4 FPL/2020/92 – Full application for the creation of 2 parking spaces at 3 Bronallt, Cambria Road, Menai Bridge

The application was presented to the Planning and Orders Committee at the request of a Local Member. At its meeting held on 7 October, 2020 the Committee resolved to visit the site. The virtual site visit subsequently took place on 21 October, 2020.

The Legal Services Manager read out a statement by Jaques Sisson in opposition to the application as follows -

I had hoped to be able to talk to the planning committee about my concerns regarding the removal of the pavement in front of Bronallt Terrace, Cambria Rd Menai Bridge LI59 5HL. I have been requested to put these concerns in writing. I have lived in 1 Bronallt Terrace for 29 years and can attest that the pavement is heavily used every day. The proposal to remove it will mean local residents will have to walk in the road. Vehicles parked outside 2&3 Bronallt Terrace do not block the road. I understand from the Land Registry that if the pavement is unadopted then the stretch outside 1 Bronallt Terrace reverts to my ownership. Please don't put the financial interests of a property developer above those of local residents.

The Legal Services Manager then read out the following statement by Mr Gerwyn Jones, Agent to the applicant in support of the application –

The statement is written in support of the planning application FPL/2020/92 to form 2nr parking spaces in front of 2 & 3 Bronallt, Cambria Road, Menai Bridge.

The proposal is to form 2 parking spaces to the front of the properties known as 2 & 3 Bronallt (1 parking space per property), this will be achieved by removing the small garden/boundary wall and a section of the footpath in front of both properties. Currently vehicles are parked on the public highway due to no designated parking available in the area.

The proposal will see the removal of a section of the footpath to the front of 2 & 3 Bronallt with a small section remaining to the front of nr 1 Bronallt. This stretch of footpath cannot be extended in any direction due to the existing restrictions in the area which currently forces any pedestrians to walk on the public highway, in fact, this stretch of footpath to the front of 1-3 Bronallt (approx. 17.5m long) is the only stretch of footpath along the entire length of Cambria Road which measures approx. 197m in its entire length. There is also no continuous length of footpath from the start of New Street, which leads from the roundabout next to Tafarn y Bont all the way to the boundary of the property known as Trem Gilan which is approx. 178m long, there is however a small section of footpath in front of the properties known as Trem y Don, Isgraig and Dwylan which measures approx. 19m and is located near the junction of Cambria Road and New Street.

Although the proposal would see the loss of approx. 11.5m of footpath in front of nr 2 & 3 Bronallt, the fact of the matter is that pedestrians would have to walk on approx. 338.5m of public highway before reaching the footpath in front of 1-3 Bronallt or indeed the section of footpath on New Street in the first instance.

Cambria Road is a single lane public highway as it reaches the top of Cambria Road and the junction with New Street which is located directly in front of 1-3 Bronallt. Vehicles currently park on the public highway in front of nr 1, 2 & 3 Bronallt, which forces any vehicle approaching the top of Cambria Road and junction with New Street to manoeuvre around parked vehicles which causes potential hazards and reduced visibility at the narrow junction at the summit of Cambria Road. By creating the off road parking spaces to the front of 2 & 3 Bronallt will result in the parked vehicles being moved off the public highway thus removing any obstacles and improving the visibility which greatly reduces any potential hazards at the junction of Cambria Road and New Street and ultimately improves the highway safety at the junction.

The Conservation Officer has been consulted as the site lies within the Menai Bridge Conservation Area; however the Conservation Officer has no objections to the proposal and according to the Planning Officer's case report the Conservation Officer has gone as far as to state the removal of the garden/boundary wall "may provide an opportunity to enhance the Conservation Area".

As you will read in the Planning Officer's case report, the Conservation Officer has no objections and possibly the most important consultation is the Highways Officer who also has no objections to the proposal and states that the proposal will "create an overall safer space for vehicles to pass with greater forward visibility."

It is noted that there have been several comments made by the public where concerns are raised about setting a precedent for the removal of public footpaths; however as stated in the Planning Officer's case report, "applications must be assessed and determined on their own merits" and we believe that there is sufficient justification provided in this case to remove the footpath and form the off road parking spaces.

It should be noted that the Planning Officer's case report recommends that the application be approved subject to the conditions noted in the report. As part of the planning application, the relevant notices have been issued, the proposal meets with the relevant local and national policies and the Conservation Officer and Highways Officer have no objections to the proposal.

We therefore ask you to consider what is presented in the Planning Officer's case report and approve the application in accordance with the Officer's recommendation.

Councillor Robin Williams speaking as a Local Member said that he had not encountered an application such as this before where the removal of a section of footpath to create parking spaces for 2 holiday lets is sought and that usually such applications are dropped kerb applications to allow access to a private driveway. Parking in the application area is a daily problem but is not a reason to allow a developer to remove a section of footpath to create a private parking space. Approval would create a precedent for similar applications in areas across the Island where on street parking is a problem. Councillor Williams said that he was approached by a resident not far from the application site to look into a permit parking scheme which in the event was not supported by the Highways Authority on the basis that it would not help in an area where there is insufficient parking provision and where the demand for street parking is too high and is above capacity. A similar response was received some two years ago when enquires were made on behalf of a member of Capel Mawr about disabled parking spaces outside the chapel with it being said there was insufficient capacity to create the spaces. Regard must also be had of the amenities of residents - the wall at the corner of the footpath where 3 Bronallt ends is a retaining wall which may be subject to additional pressure from the flow of water. Councillor Williams referred to Policy PS20 which states that in seeking to support the wider economic and social needs of the Plan area, the Local Planning Authority will preserve and where appropriate enhance its unique heritage assets. Councillor Williams said that he did not consider that the proposal meets the requirement of Policy PS20 in this respect and on that basis he proposed that it be refused contrary to the Officer's recommendation. The proposal was seconded by Councillor Kenneth Hughes.

Councillors Alun Mummery and R. Meirion Jones, also Local Members agreed with Councillor Robin Williams's assessment.

The Development Management Manager advised that an additional letter highlighting concerns with regard to drainage and the retaining wall had been received and is included in the letters of representation package. She clarified that condition (03) addresses drainage issues. She also highlighted that although the footway has been adopted by the Highways Authority it is not within the Local Authority's ownership and it does not link with any other footpaths in the area. Vehicles are parked on the road side which limits the width of the road. The proposal is acceptable to the Highways Authority as it is considered it will create an overall safer space for vehicles to pass; likewise the Conservation Officer does not object to the removal of the boundary walls believing they do not make a significant contribution to the character and appearance of the designated Conservation area. The recommendation is therefore one of approval.

In the subsequent vote on the matter, the proposal to refuse the application contrary to the Officer's recommendation was carried.

It was resolved to refuse the application contrary to the Officer's recommendation as it was deemed not to comply with Policy PS20.

(In accordance with the requirements of the Council's Constitution, the application was automatically deferred to the next meeting to allow Officers the opportunity to prepare a report in respect of the reason given for refusing the application)

7.5 19C1231 – Outline application for the erection of 32 market dwellings and 4 affordable dwellings, construction of new vehicular and pedestrian access, provision of play area and open spaces together with full details of access and layout on land adjacent to Cae Rhos Estate, Porthdafarch Road, Holyhead.

The application was presented to the Planning and Orders Committee having been called in by Local Members.

The Development Management Manger reported that the application was approved by the Committee at its 2 September, 2020 meeting following confirmation by the Highways Authority that it had withdrawn its objections to the application conditional upon a requirement for a Traffic Regulation Order (TRO) for a one way system in a northerly direction along Porthdafarch Road from the junction of Arthur Street to the junction to the B4545 Kingsland Road to address the traffic issues in the area with the TRO process to be funded by the applicant. Following the receipt of legal advice the applicant was asked to submit the addendum to the Transport Assessment proposing a one way street as a formal change to the application and as a consequence, a re-consultation was undertaken. Consideration of the application was deferred at the Committee's 7 October meeting to allow the Highways Authority an opportunity to consider the representations received as a result of the publicity process which came to an end on 8 October, 2020. Having considered the representations the Highways Authority remains of the opinion that the proposal is acceptable subject to a TRO for a one way street. As all other matters pertaining to the proposal have been resolved some time back, the recommendation is to approve the application.

Councillor Trefor Lloyd Hughes, MBE speaking as a Local Member referred to the previous offer by the applicant to transfer land at the rear of Porthdafarch Road at Mountain View to the Council for use as a resident car park saying that he understood, and was disappointed that this would not now materialise meaning that the parking problems in Porthdafarch Road and Arthur Street will remain unresolved. He reiterated his concerns about the potential impact of the proposal on traffic and highways issues in the area specifically the difficulties which large goods vehicles would have in manoeuvring around the junction of Arthur Street and Porthdafarch Road because of the cars parked around the junction which he believed would not be solved by the proposed one way system. He felt that there were shortcomings with the traffic and parking survey conducted In February, 2020 because the camera was sited on a lighting column near the former Angel Hotel which did not properly capture the problems near the Arthur Street junction in Porthdafarch where a vehicle repair garage is situated nearby. Citing one of the letters of objection, Councillor Trefor Lloyd Hughes said it summarised the situation, namely that a van would encounter difficulties in turning left when cars are parked along Porthdafarch Road let alone a larger vehicle.

The Development Management Engineer (Highways) clarified that local members had expressed concern when discussing the potential parking area that had been originally offered by the applicant as an option and felt that the piece of land would not be useful; the applicant subsequently withdrew the offer once the one way system was accepted and it did not form part of the application that was approved in September. In terms of the adequacy of the turning space from Arthur Street the proposed outline design and plan show that there is sufficient space for a bus to travel along Arthur Street with cars parked on both sides and that it would be able to turn both ways at the end of the street. Parking restrictions in the form of yellow lines would have to be imposed around the junction to ensure that the path of vehicles is not obstructed at this point; although this would result in the loss of a few parking

spaces the Highways Authority believes that the one way system represents an improvement and that the application is therefore acceptable.

In response to further concerns by Councillor Trefor Lloyd Hughes, MBE about the lack of turning space both to the left and right out of Albert Street and the need for additional parking spaces in the area which would not now be met by the land at Mountain View, the Development Management Engineer (Highways) advised that as part of a separate statutory process, the proposed TRO would be consulted upon with local members, Holyhead Town Council and local residents prior to it then being presented to the Committee for approval. As part of this process the one way system would have to be shown to be workable and effective as regard vehicle flow and manoeuvrability and that further, permission would be conditional upon securing the TRO meaning that if it is not approved, then the development will not be implemented.

Councillor Dafydd Rhys Thomas, a Local Member whilst indicating his support for the proposal, thought that the one way system needed careful consideration especially in relation to caravans and large vehicles.

In response to a question about the feasibility of a deferral pending the securing of the TRO, the Development Management Manager advised that the application has been the subject of discussion over a period of months and the applicant has worked closely with the Highways Authority in order to progress the proposed development. Also, the application site is allocated for residential purposes in the Joint Local Development Plan. There is a risk that with a further delay the applicant may take the matter to appeal on the basis of non-determination and she reminded the Committee that it is the planning application that is under consideration at this meeting and that approval of the TRO is a separate process.

The Legal Services Manager further advised that it was doubtful that the applicant would want to fund the TRO process and works without assurance about planning consent and that consent is in any case conditional upon securing the TRO meaning that no development can take place until the TRO has been approved and implemented.

Councillor Trefor Lloyd Hughes, MBE proposed that the application be refused contrary to the Officer's recommendation due to concerns about the impact of the proposed development on traffic and the local highways network which he felt the proposed TRO for a one way system would not resolve. The proposal was seconded by Councillor Kenneth Hughes.

In the ensuing vote on the matter, the proposal to refuse the application contrary to the Officer's recommendation was carried.

It was resolved to refuse the application contrary to the Officer's recommendation due to concerns regarding the impact of the proposal on traffic and the local highway network.

(In accordance with the requirements of the Council's Constitution, the application was automatically deferred to the next meeting to allow Officers the opportunity to prepare a report in respect of the reason given for refusing the application)

8. ECONOMIC APPLICATIONS

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

9. AFFORDABLE HOUSING APPLICATIONS

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

10. DEPARTURE APPLICATIONS

10.1 VAR/2020/49 – Application under Section 73A for the variation of condition (01) of planning permission reference 17C278A (erection of a dwelling) so as to amend the design of the dwelling at Bron Heili, Lôn Ganol, Llandegfan

The application was reported to the Planning and Orders Committee as the proposal is contrary to policies of the Joint Local Development Plan but which the Local Planning Authority is minded to approve.

The Development Management Manager reported that the principle of a dwelling has already been established in this location under previous planning permissions. The planning permission is safeguarded by virtue of the fact that the development has been commenced and is therefore extant. Since the adoption of the Joint Local Development Plan, Llandegfan is identified as a Local Village with a defined development under Policy TAI 4 of the JLDP. The development site is outside the development boundary and therefore is in open countryside where any new dwelling must comply with Planning Policy Wales and Technical Advice Note 6 which requires there to be a proven need for a rural enterprise dwelling. However, given the fall-back position of the extant planning permission which has been implemented and given that the amended design is acceptable and is considered to represent an improvement on the previously approved scheme and will have no adverse impact on the character and appearance of the area nor on the amenities of neighbouring properties, the recommendation is to approve the application.

Councillor Eric Jones proposed, seconded by Councillor John Griffith that the application be approved in accordance with the Officer's recommendation.

It was resolved to approve the application in accordance with the Officer's recommendation and report subject to the conditions listed therein.

11. DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

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

12. REMAINDER OF APPLICATIONS

12.1 FPL/2020/154 – Full application for the erection of a steel staircase and viewing platform on the north east tower at St. Cybi Church, Holyhead

The application was reported to the Planning and Orders Committee as it is submitted by the Isle of Anglesey County Council.

The Development Management Manager reported that the proposal entails the installation of a freestanding cor-ten steel staircase and platform in order to allow visitors to view the Roman fort and the wider area. Although the proposal is situated within a historically important location, it is designed so as to have minimal impact on the fabric of the tower structure itself. The consultees in providing comments on the application have raised no objections to the development and no objections have been submitted via the public consultation and publicity process. The recommendation is therefore to approve the application.

Further clarification was sought by the Committee with regard to the proposal's relationship with its surroundings specifically in terms of potential overlooking of properties to the rear of 3 and 4 Land's End. In addition, Councillor Glyn Haynes in voicing his support for the proposal highlighted known anti-social use of the cemetery and church adjoining the tower which he felt would need to be kept an eye on.

The Development Management Manager advised that full consideration had been given to the residential amenities of the occupants of nearby residential properties in developing the proposal. The rear amenity area of 4 Land's End is very limited providing access to the rear of the property as opposed to serving as a garden or amenity area. The proximity, significant height difference and the angle of any views available from the platform towards the dwellings at 3 and 4 Land's End means that overlooking of the rear of the properties would be limited. With regard to anti-social activity in the area, the Officer said that the Planning Service is aware of such concerns locally; it is hoped that promoting visitor use of the Tower will mitigate against anti-social behaviour and lead to more appropriate use of the church and cemetery surroundings.

Councillor Kenneth Hughes proposed, seconded by Councillor Robin Williams that the application be approved in accordance with the Officer's recommendation.

It was resolved to approve the application in accordance with the Officer's recommendation and report subject to the conditions listed therein.

13. OTHER MATTERS

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

Councillor Richard Owain Jones
Chair

Planning Committee: 02/12/2020

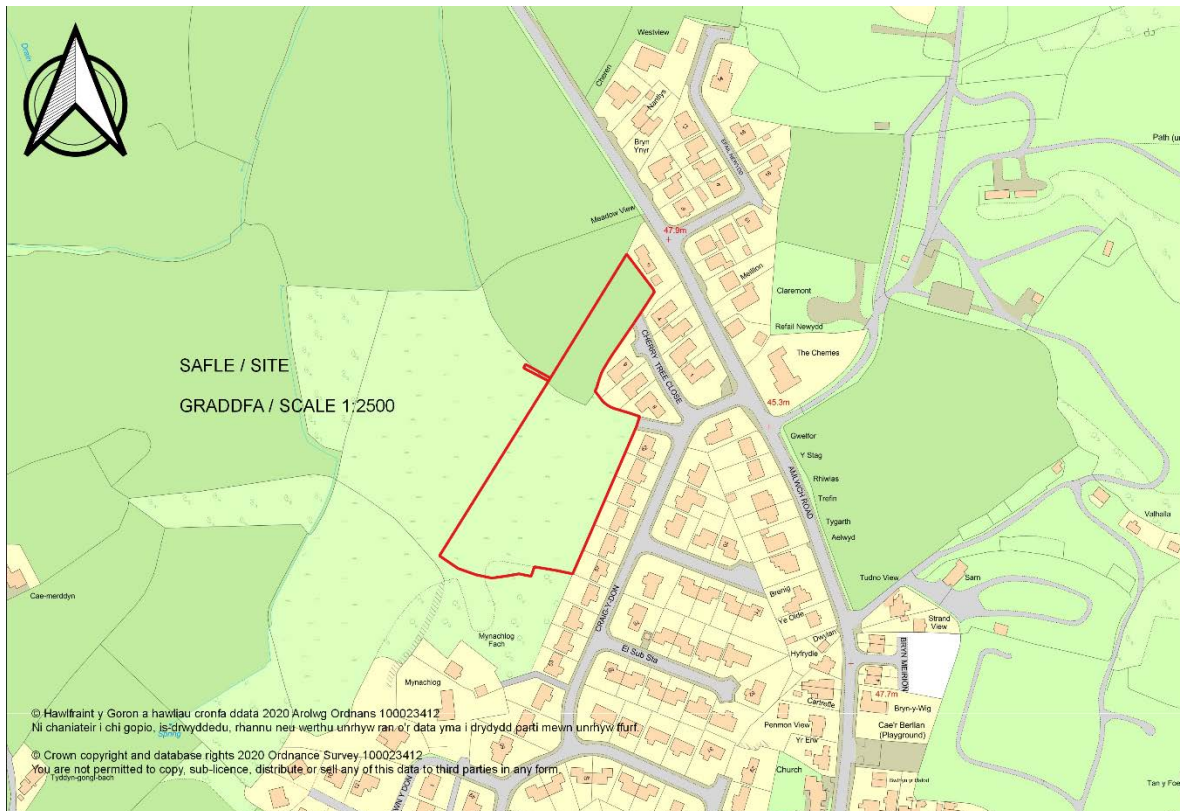
7.1

Application Reference: FPL/2019/217

Applicant: Mr Dylan Davies

Description: Full planning application for the erection of 17 affordable dwellings, construction of two new vehicular and 3 new agricultural accesses, installation of a pumping station together with soft and hard landscaping on land adjacent to

Site Address: Craig y Don Estate & Cherry Tree Close, Benllech



Report of Head of Regulation and Economic Development Service (Iwan Jones)

Recommendation: Permit

Reason for Reporting to Committee

The application has been called into the Planning and Orders Committee for determination by Local Members Ieuan Williams and Margaret Roberts.

It was noted that the Welsh Ministers have received a request to call-in the application for their own determination and the application was deferred pending their decision.

Proposal and Site

The application is submitted for the construction of 17 affordable dwellings together associated developments. The application site will be accessed from two new separate vehicular accesses from

Cherry Tree Close and Craig y Don Estates. The application also entails 3 number of agricultural accesses and the construction of a pumping station. The application has been amended on several occasions. The main amendment was the reduction of the number of units from 29 to 17 dwellings. The latest amendments include additional landscaping at the boundary and reduction of agricultural accesses.

The application site is approximately 1.08 hectares with a Local Wildlife Site. The land is within the Area of Outstanding Natural Beauty (AONB) and lies immediately adjacent to the settlement boundary of Benllech as identified within the Joint Local Development Plan (JLDP).

The access from the Craig y Don estate will serve 16 dwellings whilst the access from Cherry Tree Close will serve the remaining dwelling. The proposed development will include new estate roads to serve the proposed dwellinghouses. The proposed dwellinghouses will be located across the site varying from 2, 3 and 4 bedroom single and two storey units. The majority to the dwellinghouses are semi-detached properties whilst some are detached units. The proposed development also includes a mixture of single and two storey dwellinghouses. All dwellings are provided with designated parking and private amenity spaces. As part of the proposed development amenity land will be allocated across two separate areas. The pumping station is located to the western part of the site.

The application site is surrounded by residential properties to the north, east and south. Grassland is located to the west and south. The topography of the land is generally level with a slight depression in the centre of the site. The application site is predominately surrounded by hedgerows.

Key Issues

Whether or not the proposal is justified in this location, complies with local and national policies and whether the proposal will have an impact upon the neighbouring properties, character and amenity of the area, Area of Outstanding Natural Beauty (AONB), Designated Wildlife site and highway safety.

Policies

Joint Local Development Plan

Policy TAI 15: Affordable Housing Threshold & Distribution
Policy TAI 16: Exception Sites
Policy TAI 4: Housing in Local, Rural & Coastal Villages
Policy PCYFF 2: Development Criteria
Policy PCYFF 4: Design and Landscaping
Policy PCYFF 3: Design and Place Shaping
Policy PCYFF 1: Development Boundaries
Policy PCYFF 6: Water Conservation
Policy PCYFF 5: Carbon Management
Policy ISA 2: Community Facilities
Policy ISA 5: Provision of Open Spaces in New Housing Developments
Strategic Policy PS 2: Infrastructure and Developer Contributions
Policy ISA 1: Infrastructure Provision
Strategic Policy PS 4: Sustainable Transport, Development and Accessibility
Policy TRA 2: Parking Standards
Policy TRA 4: Managing Transport Impacts
Strategic Policy PS 5: Sustainable Development
Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change
Policy AMG 1: Area of Outstanding Natural Beauty Management Plans
Policy AMG 5: Local Biodiversity Conservation

Response to Consultation and Publicity

Consultee	Response
Gwasanaeth Addysg / Education Service	The Lifelong Learning Department of Anglesey Council have confirmed that no commuted sum is required in this instance.
Iechyd yr Amgylchedd / Environmental Health	Conditional Approval
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	General comments made with respect to policies contained within the Joint Local Development Plan (JLDP).
Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service	Conditional Approval
Cynghorydd Vaughan Hughes	No Response
Cynghorydd Ieuan Williams	Referred the application to the Planning and Orders Committee. The Local Member considered the proposed development does not comply with national or local planning policies. The proposed development would put an increased pressure upon local schools and existing highway network. The Local Member also considers that the proposed development should be subject to an EIA and as such raises concerns that the proposed development will have a negative impact upon the AONB and Local Wildlife Site.
Cynghorydd Margaret Murley Roberts	Referred the application to the Planning and Orders Committee. Concerns that the application site is located outside the development boundary and an increased pressure upon schools, parking etc
Cyngor Cymuned Llanfair Mathafarn Eithaf Community Council	Concerns regarding over development, number of units being proposed and inadequate access and substantial traffic within the area.
Dwr Cymru/Welsh Water	Conditional Approval
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Legal Agreement required to accommodate the mitigation and enhancement measures proposed to the designated Wildlife Site.
Ymgynghorydd Tirwedd / Landscape Advisor	Conditions proposed to mitigate the impact upon the AONB
Priffyrdd a Trafnidiaeth / Highways and Transportation	Conditional approval recommended.
Cyfoeth Naturiol Cymru / Natural Resources Wales	Conditional Approval
Draenio Gwynedd / Gwynedd Drainage	No Objection
Strategol Tai / Housing Strategy	There is a demand for the affordable units being proposed which has been confirmed within a housing needs survey.
Swyddog Cefn Gwlad a AHNE / Countryside and AONB Officer	Application should be considered in line with AONB Management Plan and Policy AMG 1 of the

	<p>JLDP. Questioned whether other sites have been considered for the proposed development. Concern that further encroachment is made into the AONB if the application is approved.</p>
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The proposal has been advertised through the posting of a notice on site together with the distribution of personal letters of notification to the occupiers of neighbouring properties. A notice was also placed within the local newspaper. The publicity process has been undertaken on three occasions. The latest date for the receipt of any representation was the 24/09/2020. At the time of writing this report, 23 representations had been received at the department. The points are summarised below:

- Concerns with respect to planning policy and the land is situated outside the development boundary.
- Concerns regarding school capacity and local infrastructure.
- Concerns regarding highways safety, access, parking places and increased traffic.
- Concerns regarding disruption during the construction phase.
- Concerns regarding flooding.
- Concerns regarding ecology.
- Concerns regarding Area of Outstanding Natural Beauty (AONB).
- Concerns regarding impact upon amenity of existing nearby residents.
- Concerns regarding Welsh Language.

In response to the points raised the Local Planning Authority responds as follows:

- An assessment with respect to the location of the site and planning policy is outlined within the main core of the report.
- The impact upon the existing infrastructure including the local school has been assessed as part of the application. This is elaborated upon within main core of the report.
- The Local Highways Authority have assessed the application and raised no object to the application.
- Conditions will be attached as part of the application to mitigate and minimise nuisance to nearby properties and road users during the construction phase.
- Due to the size and nature of the development it will be necessary to provide an application to the SAB for approval prior to the commencement of the building work. Until an application is made to the SAB there remains some uncertainty whether the proposed site layout would enable full compliance with the suite of national SuDS standards. Welsh Water and Natural Resources for Wales have assessed the application and raised no objection.
- An Ecology Appraisal has been submitted as part of the application. The Authority's ecologist together with Natural Resources for Wales have assessed the application and are satisfied with the proposed development subject to conditions and legal agreement.
- The impact upon the AONB is assessed within the main core of the report
- The impact upon the amenities of nearby residential properties have been assessed as part of the application. This is elaborated upon within the main core of the report.
- A Welsh Language Impact Assessment has been submitted as part of the application. It is considered the impact upon the Welsh Language will be comparatively low.

Relevant Planning History

SCR/2019/46 - Screening opinion for the erection of 29 affordable dwellings, construction of two new vehicular and 4 new agricultural accesses, installation of a pumping station together with soft and hard landscaping on land – EIA Not Required 23/08/2019

Main Planning Considerations

The site is located immediately adjacent to the development boundary of Benllech. In terms of the principle of housing development, the development boundary is considered under policy TAI 16 of the

Joint Local Development Plan (JLDP). In accordance with this Policy all units would have to be affordable housing that meets a defined local need. The policy states:

“Where it is demonstrated that there is a proven local need for affordable housing (as defined in the Glossary of Terms) that cannot reasonably be delivered within a reasonable timescale on a market site inside the development boundary that includes a requirement for affordable housing, as an exception, proposals for 100% affordable housing schemes on sites immediately adjacent to development boundaries that form a reasonable extension to the settlement will be granted. Proposals must be for a small scale development, which are proportionate to the size of the settlement, unless it can be clearly demonstrated that there is a demonstrable requirement for a larger site, with priority, where it is appropriate, given to suitable previously developed land.”

The application site is located towards the northern part of the Benllech. The north west part of the development boundary is staggered with no distinctive pattern to the boundary. The application site is considered a reasonable extension to the settlement since the site would only extend the built form towards the current extent of the development boundary around the property of Mynachlog Bach which lies to the South West of the application site. It is considered that the site will not unacceptably intrude and encroach further into the countryside than the general existing form of development. The application site is considered proportionate to size of the settlement of Benllech, which is classed as a Local Service Centre with the JLDP, the second highest tier settlement category of Anglesey.

Policy TAI 16 also states that, if local need has been proven, as an exception to the usual housing policies, schemes for a 100% affordable housing could be suitable on such a site as long as the units cannot be reasonably be delivered within a reasonable timescale on a market site inside the development boundary that includes a requirement for affordable housing. It has to be ensured that all the units are affordable and that there is a local need for them.

The indicative supply for Benllech (including a slippage allowance of 10%) was for 90 units over the plan period. In the period 2011 to 2020 a total of 109 units have been completed within Benllech with a further 36 units in the landbank at April 2020 all of these units are on windfall sites (this 36 units includes the recently approved application (FPL/2019/204) to build 27 affordable dwellings at Ponc y Rhedyn in Benllech). This means that Benllech has achieved its windfall provision.

The Plan's Monitoring Framework will consider the number of units that are completed annually in order to determine if the Plan is achieving the housing requirement. Annual monitoring will also allow the Councils to determine what type of sites will supply housing i.e designation or windfall sites. The focus will be on the units completed rather than permissions. As well as this, the Monitoring Framework will try to assess if the Plan's Settlement Strategy is being achieved. This indicator looks at housing consents. Policy PS 17 in the Plan states that 22% of the Plan's housing growth will be located within the Local Service Centres. The indicative growth level (including 10% slippage) for Local Service Centres is 1754 units. 665 units were completed between 2011 and 2019 in all Local Service Centres and that 518 were in the land bank. This means that there is a current shortfall of 571 units. Currently, therefore, the approval of this site can be supported by the expected provision within the Local Service Centres category.

In terms of meeting a 'local need', the same definition applies as what is stipulated for the proposed affordable unit located within the boundary. The definition of who can live in these units are therefore very specific. Whilst it is noted in the information submitted with the planning application that all the units will be managed by Clwyd Alun Housing Association, it has been confirmed by the Housing Service there is a need for the units being proposed. The assessment includes a Housing Needs Survey and the consideration of other planning applications, including the proposal for the erection of 27 affordable dwellings at Ponc Y Rhedyn, Benllech. The Housing Service have confirmed there is a need for the affordable units being proposed at both application sites. The Housing Service has also confirmed, outside Benllech there is a large demand for social and affordable housing in the Lligwy Electoral Ward.

The proposal is therefore appropriate in terms of the fact that all the units proposed on the part of the site outside the boundary are affordable. It is also necessary to establish there is a genuine need for these units and that this cannot be met within the boundary of Benllech as noted in Policy TAI 16. If the need for these units have not been suitably justified, the proposal, in terms of the units located outside the development boundary, would be contrary to JLDP as it would provide new houses in the countryside without the relevant justification.

As such, Policy TAI 16 states the requirement to demonstrate that affordable housing to meet a proven local need cannot be reasonably be delivered within a reasonable timescale on a market site inside the development boundary that includes a requirement for affordable housing.

The applicant together with the policy, housing and property section have provided comments with respect to whether or not affordable housing cannot be reasonably be delivered within a reasonable timescale on a market site inside the development boundary.

The allocated housing site (T32) within Benllech would provide 12 residential units and would provide 4 number of affordable units. The site is owned by the Local Authority and there are no immediate plans to develop the site within the immediate future. It is therefore considered that the allocated housing site will not be delivered in a reasonable timescale. In addition, it considered that Topic Paper 6: Urban Capacity Study (February 2015) has not identified significant development opportunities with the settlement boundary of Benllech. The agent has also provided information confirming that there are no dwellinghouses within Benllech that could be considered as being at an affordable price. The Housing Section have confirmed this point.

It is considered there are only limited opportunities to meet any identified need in the settlement within a reasonable timescale. An application for 6 residential apartments has recently been refused which would have provided 2 affordable units. In light of this evidence and the lack of previous affordable units being delivered within the settlement the policy and housing section are of the opinion that the exception site will help to meet an identified need.

With respect to the viability and deliverability of the site, it is considered that the site is on the 'Reserve and Potential' list of the Council's Program Delivery Plan (PDP). The Housing Service also proposed to fund the proposed development through a Social Housing Grant within the next 5 years. It is therefore considered there is a high element of certainty that this site will be brought forward within a reasonable timescale and consideration has been given towards its viability.

Candidate Site

The application site was offered as a candidate site under the Anglesey and Gwynedd Joint Local Development Plan for residential development (reference number SP146). The purpose of the candidate sites was to identify suitable site as housing allocations within the Plan. The comments made by the planning policy unit relating to the site (included within Topic Paper 1B: Assessing the Candidate Sites (March 2016)) raised issues with respect to highway safety, surface water issues, that the site is located within the AONB and is situated on Grade 3 Agricultural Land. All these issues will be assessed later within the report.

The topic paper also suggest that since the land is located within the AONB, other sites were available as a housing allocation. Policy TAI 16 does not require consideration of other potential exception sites on locations immediately adjacent to the settlement boundary only for possible alternative sites within the boundary. As previously noted, it not considered that the allocated site will be delivered in a reasonable timescale.

Policy TAI 8 – Appropriate Housing Mix

The proposed development offers a mixture of single and two storey dwellinghouses which can accommodate various number of bedrooms and occupants. Policy TAI 8 '*Appropriate Housing Mix*' seeks

to ensure that all new residential development contributes to improving the balance of housing and meets the identified needs of the whole community.

Regard is given to the Local Housing Market Assessment (LHMA), Council Housing Register and Tai Teg Register to assess the suitability of the mix of housing in terms of both type and tenure proposed on development sites to redress an identified imbalance in a local housing market. The Housing Service have confirmed that the housing mix being proposed is acceptable.

Policy PS 1 – Welsh Language and Culture

Given that the application is a large scale housing development (defined as 5 or more units within Local Service Centres in the Maintaining and Creating Distinctive and Sustainable Communities' SPG) on an unexpected windfall site then a Welsh Language Impact Assessment is required in line with policy PS1 of the JLDP. It is noted that such an assessment has been submitted with the application which concludes that the impact upon the Welsh Language will be comparatively low.

Policy ISA 5 – Provision of Open Spaces in New Housing Developments

As this is a development of 17 dwelling houses it triggers Policy ISA 5, which states that: *“New housing proposals for 10 or more dwellings, in areas where existing open space cannot meet the needs of the proposed housing development, will be expected to provide suitable provision of open spaces in accordance with the Fields in Trust (FiT) benchmark standards of 2.4 hectares per 1000 population.”*

The Open Spaces in New Residential Developments Supplementary Planning Guidance (SPG) (March 2019) states that the benchmark standard proposed by the FiT consists of a minimum 2.4 hectares per 1000 population.

The Open Space Assessment undertaken by the Joint Planning Policy Service identified a shortfall of open space in all of the above categories. As part of the application the applicant is providing 645m² public open space which more than meets the informal play space element of the FiT categories but does not propose to place any play equipment on the site.

Policy ISA5 does acknowledge that in some circumstances on site provision may not be feasible. In such cases, the Council will seek to negotiate a planning obligation under Section 106 of the Town and Country Planning Act 1990. This obligation enables developers to make a contribution towards the provision of suitable off site play space in lieu of direct provision within the development site where there are identifiable and appropriate opportunities for providing new play space.

The calculation of costs is based on (i) FiT standards (which identify a level of provision per 1,000 population), and (ii) likely basic costs for the provision of open space provision.

New Provision from new development:

- Outdoor Sport = 564.16m²
- Children's Informal Play Space = no financial contribution required as this is being provided on site
- Children's Equipped Play Space = 88.16m²

Therefore, based on costs for provision the commuted sum required are highlighted:

- Outdoor Sport = £6595.03
- Children Equipped Play Space = £3349.20
- Total Contribution = £9944.23

Infrastructure Policy

Policy ISA 1 seeks adequate infrastructure capacity and where this is not provided by a service or infrastructure company, this must be funded by the proposal. Specifically for this type of development

consideration is given to the capacity within local schools to accommodate the anticipated number of children on the site. It is also important to consider the effect of the proposed development on the capacity of local schools. The cumulative impact of other developments in the schools' catchment areas is also taken into account when assessing whether an education contribution should be made. The Lifelong Learning Department of Anglesey Council have confirmed that no commuted sum is required in this instance.

Agricultural Land

The proposed site lies on Grade 3b Agricultural Land which is classified as moderate quality'. Criterion 6 of Strategic Policy PS6 (Alleviating and Adapting to the Effects of Climate Change) notes that proposals must give full consideration to protecting the best and most versatile agricultural land. Best and most versatile (BMV) agricultural land is defined in Planning Policy Wales as Grades 1, 2 and 3a, this is excellent to good quality land which is able to best deliver the food and non-food crops. Since this site lies on Grade 3b land criterion 6 of Policy PS 6 is not applicable with this application.

Character of the area:

At its core, one of the most fundamental consideration is whether this residential development is acceptable in respect of its design and layout is whether it can comply with the provisions of the JLDP and whether there are any other material considerations which must be taken into account. Policy PCYFF2, PCYFF3 and PCYFF4 are the primary consideration in assisting the proposal from this aspect.

The development is located adjoining the settlement of Benllech. Within this context, achieving the correct design and appearance is important and it is noted that a mixture of development are located within the vicinity. These include a mixture of single and two storey dwelling of various designs.

The proposed dwellings are considered acceptable in terms of their impact on the townscape which will acceptably integrate into the surrounding area. The proposed development includes a mixture of detached and semi-detached properties includes single and two storey dwellinghouses. It is considered that the proposed development will not harm the character of the area and reflect the relatively dense residential pattern of development within the immediate locality.

Effect upon the amenities of neighbouring properties:

The impact of the proposal, in particular upon the amenity of nearby land users should be considered in accordance with the criteria as set out in Policy PCYFF2 of the JLDP. Specific consideration should be given to subsection 6 which stipulates that planning permission should be refused if the proposed development would have an adverse impact on the health, safety or amenity of occupier of local residence or other land and property users.

Regard has been given in terms of overlooking / loss of privacy and the effect on the outlook of adjacent residential properties. As previously noted, the application will be served from the Craig y Don and Cherry Tree Close residential estates. Existing dwellinghouses are located along the northern and eastern boundary. Dwellinghouses are also located to the south, however agricultural land is located between these existing units and the application site. No significant difference in level is proposed as part of the development.

Plots 11, 12 , 13, 14, 15, 16 and 17 all adjoin the eastern boundary and therefore careful consideration is given to the amenities of the dwellinghouses located at Craig Y Don.

The Supplementary Planning Guidance (Design for the Urban and Rural Environment) requires a distance of 2.5 meters between dwellinghouses and boundaries. All of these dwellinghouses exceeds this distance, the shortest distance between plot 17 and the nearest exiting dwellinghouse being approximately 11 meters.

The Supplementary Planning Guidance (Design for the Urban and Rural Environment) SPG also requires a distance of 15 meters between secondary windows. The nearest proposed secondary window to an existing secondary window is at a distance of approximately 22 meters. This exceeds the guidance distance. In addition, a 1.8 high fence is proposed along the eastern boundary which will further aid against the impact upon the amenity of neighbouring properties.

Plot 1 also adjoins the eastern boundary and therefore careful consideration is given to the amenities of the dwellinghouses located at the Cherry Tree Close Estate. There is a distance of approximately 19 meters between the closest existing dwelling at Cherry Tree Close and the dwellinghouse at Plot 1.

A bedroom window is located on the eastern elevation of Plot 1 which is approximately 23 meters from the nearest dwelling house. A maximum distance of 15 meters is required within the SPG between secondary windows. The dwelling house is in compliance with guidance distances within the SPG. In addition, a 1.8 meter high green screen fence will be located along the eastern boundary.

Dwellinghouses are also located to the north and south part of the application. However, given the ample distance between the proposed units and the existing dwellinghouses together with position of an open space and agricultural land between the units, it is not considered the proposed development will have an unacceptable impact upon the amenities of those properties.

It is not considered that the proposed development will have a detrimental impact upon the nearby dwellinghouses or future occupants of the proposed affordable units. Conditions will be attached to any permission to including measures to mitigate against the impact during the construction phase.

Local Highways Authority:

The application site will be accessed the application from the both the Craig y Don and Cherry Tree Close residential estates. Estate roads will be constructed at the application site to serve the proposed dwellinghouses.

The Local Highways Authority have assessed the application and are satisfied with the proposed development subject to conditions which are proposed as part of their recommendation.

Drainage:

Indicative drainage plans and a drainage strategy has been submitted as part of the application.

The proposed development will require sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh Ministers.

Due to the size and nature of the development it will be necessary to provide an application to the SAB for approval prior to the commencement of the building work. Notwithstanding the SAB approval, a condition will also be attached to any planning permission to ensure that the proposed development will be made satisfactory in term of drainage and its impact upon the Wildlife Site.

Ecology:

The application site is located within a designated Local Wildlife Site, Cors Efail Newydd. The Cors Efail Newydd Wildlife Site was identified by North Wales Wildlife Trust and later formally designated as a local designation as part of the JLDP being classes as a '*naturalness*'. A preliminary Ecological Appraisal has been submitted with the application.

Policy AMG 6 of the JLDP ensures that proposals that are likely to cause direct or indirect significant harm to Wildlife Sites will be refused, unless it can be proven that there is an overriding social, environmental and/or economic need for the development, and that there is no other suitable site that would avoid having a detrimental impact on sites of local nature conservation value or local geological

importance. If a development is granted, it will be necessary to ensure that here are appropriate mitigation measured in place.

The Wildlife Site is approximately 57,959 square meters. The part of the application site which is located within the Wildlife Site is 7,847 metres square, approximately 13.5%.

The wildlife site is not currently being managed, and as such losing quality. Following undertaking surveys of the land, some areas of the Local Wildlife Site which will to be lost to the proposed development were found of being lesser ecological interest and the likelihood of any rare species in this area is certainly low. The remaining part of the Wildlife Site is more of a marshy grassland with more potential than the area of land subject to the application.

The Local Authority have no power available to enforce any retention or management of the site and as such the Wildlife Site may continue to deteriorate without any intervention. Although a relatively small proportion of the wildlife Site will be lost as part of the residential development, significant mitigation and enhancement measures in terms of management action and prescriptions for the lifetime of the development are being proposed which are suitable to form the basis of long term Conservation Plan. These measures include managing willows, conservation grazing and effective monitoring by vegetation surveys and reports.

As previously noted there is an identified need in Benllech for affordable dwellinghouses with no alternative sites within the development boundary which can be delivered in a reasonable timescale to address the need. Given due weight to this fact together with the mitigation and enhancement measures being proposed which will improve the un managed Wildlife Site, on balance it is considered there is an overriding social need for the proposed development. In addition, surface water from the proposed development will be directed in a controlled rate to an existing watercourse within the Wildlife Site. This will increase the wetness of the Wildlife Site which would be favourable to the ecological status of the site. There are currently no other sites for similar development therefore it is considered there is no other suitable available site that would avoid having a detrimental impact on sites of local nature conservation value or local geological importance.

Although outline management measures have been submitted, a full and comprehensive management plan to ensure appropriate mitigation and enhancement measures will be secured through a legal agreement to ensure that the works are carried out throughout the lifetime of the development.

Area Of Outstanding Natural Beauty (AONB):

The application is located within the designated AONB. Policy AMG 1 of the JLDP ensures that proposal within or affecting the setting and / or significant views into and out of the AONB must, whether appropriate, have regard to the AONB Management Plan.

The primary objective for designating AONBs is to conserve and enhance the natural beauty of the landscape. It is crucial that any development schemes that affect the AONB or its setting favours the safeguarding of an area's natural beauty.

Policy PS 19 states that the Council will manage development so as to conserve and where appropriate enhance the Plan area's distinctive natural environment, countryside and coastline, and proposals that have a significant adverse effect on them will be refused unless the need for and benefits of the development in that location clearly outweighs the value of the site or area and national policy protection for that site and area in question.

As the site lies adjacent to the settlement with limited views from public viewpoints and where views are available, the propose development would be seen in the context of existing dwellings. Consequently it is considered that there would be a neutral effect on natural beauty as perceived from the main highway and Public Rights of Way (PRoW), conserving this characteristic of the AONB in relation to these views. A

short portion of low hedgerow will be removed and although it provides limited screening, it will be replaced in a suitable landscaping scheme.

It is considered there would be neutral effects on natural beauty from the proposal due to the lower sensitivity of the inward views - screening off-site would be unaffected. It is considered that appropriate details of the externally visible elevations and landscaping on the boundary (secured through conditions) would ensure greater conformity with AONB requirements.

The AONB is currently bounded by residential curtilages. The existing dwellings are predominantly white in colour, whilst the proposed dwelling are a darker colour. It is considered that the darker colour of brick, windows and door included within the new proposed dwelling could provide a better and more sympathetic edge of the settlement in comparison to the existing form of development. It is also considered that adequate landscaping of the boundary will aid mitigate against the proposed development and provide an improved and enhance new defined boundary between the built form of development and the open countryside. It is considered that the new boundary will create a clear definitive edge around the new development which will make it tougher to encroach further into the AONB.

Other matters:

Consultees including Gwynedd Archaeological, Drainage / Welsh Water, Natural Resources for Wales, Environmental Health have all provided comments with respect to the proposed development. Conditions will be attached to the permission accordingly.

Conclusion

The application is acceptable in policy terms and will provide affordable housing within Benllech. Although the application is located within a Wildlife Site and the Area of Outstanding Natural Beauty, on balance and given due consideration to the mitigation and enhancement measures being proposed it is considered that the proposed development is acceptable and will deliver an identified need of affordable dwellinghouses in Benllech which cannot be delivered on other sites within the development boundary.

The details with respect to highway matters have been assessed and considered acceptable. Given due consideration to distances between existing properties and the character of the area, the proposal is considered acceptable subject to conditions and will not detrimental harm the amenities currently enjoyed by the occupants of the surrounding properties or future occupiers to such a degree as to warrant refusal of the application.

Recommendation

Permit the application subject to conditions and a section 106 agreement to include the affordable housing, ecological enhancement measures and contribution towards open space.

(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 18-226-SP-01 Rev B**
- Gable Elevation – 4B6P-404 Rev C**
- Gable Elevation – 4B6P-403 Rev B**
- Rear Elevation – 4B6P-402 Rev B**

- Front Elevation – 4B6P-401 Rev C
- First Floor Plan – 4B6P-202 Rev B
- Ground Floor Plan – 4b6p-201 Rev B
- Roof Plan – 4B6P-203 Rev C
- First Floor Plan – 4B6P-102 Rev B
- Ground Floor Plan – 4B6P-101 Rev B
- Gable Elevation 2 – 3B5P-404 Rev C
- Gable Elevation 3B5P-403 Rev C
- Rear Elevation – 3B5P-402 Rev C
- Front Elevation – 3B5P-401 Rev C
- First Floor – 3B5P-202 Rev C
- Ground Floor – 3B5P-201 Rev C
- Roof Plan – 3B5P-203 Rev C
- First Floor – 3B5P-102 Rev C
- Ground Floor – 3b5p-101 Rev C
- Gable Elevation 2 – 3B5PDC-404 Rev B
- Gable Elevation – 3B5PDC-403 Rev A
- Rear Elevation – 3B5PDC-402 Rev B
- Front Elevation – 3B5PDC-401 Rev A
- First Floor Plan– 3B5PDC-202 – Rev B
- Ground Floor Plan – 3B5PDC-201 – Rev B
- Roof Plan – 3B5DC-103 Rev B
- First Floor Plan - 3B5PDC-102 Rev B
- Ground Floor Plan 3B5PDC-101 Rev B
- Side Elevation – 3B5PB-404 Rev B
- Rear Elevation – 3B5PB-403 – Rev B
- Side Elevation – 3B5PB-402 Rev A
- Front Elevation – 3B5PB-401 Rev B
- Ground Floor Plan – 3B5PB-201 Rev A
- Roof Plan – 3B5PB-102 Rev B
- Ground Floor Plan – 3B5PB-101 Rev B
- Gable Elevation – 2B4P-404 Rev C
- Gable Elevation – 2B4P-403 Rev C
- Rear Elevation – 2B4P-402 Rev B
- Front Elevation – 2B4P-401 Rev B
- First Floor Plan – 2B4P-202 Rev C
- Ground Floor Plan – 2B4P-201 Rev C
- Roof Plan – 2B4P-103 Rev C
- First Floor Plan – 2B4P-102 Rev C
- Ground Floor Plan – 2B4P-101 Rev C
- Proposed Site Layout Overall Masterplan – 18C226-SP03-1 Rev F
- Proposed Site Layout – 18-226-SP03-2 Rev F
- Proposed Site Layout (Sheet 2) – 18-226-SP03-3 – Rev F
- Proposed Site Layout Landscape and External Works – Sheet 1 – 18-226-SP04-1 Rev E
- Proposed Site Layout Landscape and External Works – Sheet 2 – 18-226-SP03-3 Rev E

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

(03) Construction works shall only be carried out between the hours of 08:00 - 18:00 Monday to Friday and 08:00 – 13:00 on Saturday. No works shall be carried out on Sunday or Bank Holidays.

Reason: In the interest of residential amenity

(04) If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted to and

obtained written approval from the local planning authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To prevent pollution to the water environment.

(05) Prior to the construction of the dwellings hereby approved details of the materials to be used in the construction of the external surfaces of the dwellings shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: to ensure better integration of the proposal on the AONB boundary as required in PCYFF 3, PCYFF 4 and AMG 1

(06) All planting in the approved details of landscaping (contained in Landscape and External Works plans 18-226-SP03-3 Revision E and 18-226-SP04-1 Revision E) shall be carried out in the first planting seasons following the use of the site or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: to ensure establishment of planting proposed on the AONB boundary as required in PCYFF 4 and AMG 1

(07) No development shall commence until full details for reasonable avoidance measures (RAMS) for various protected species as outlined with the Preliminary Ecological Appraisal (Etive Ecology Ltd) is submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be completed in accordance with the approved detail.

Reason: In the interest of protected species.

(08) 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).

(09) The proposed 1.8 meter-high fence as and as delineated on the submitted plan (dawning reference – Proposed Site Layout 18-226-SP03-2 Rev F & 18-226-SP03-3 – Rev F) shall be erected before the units hereby approved are occupied. The fencing shall not be removed at any time. If the fencing needs to be replaced/changed for whatever reason the replacement shall be of the same height and type and in the same position.

Reason: In the interest of residential amenity

(10) The access shall be laid out and constructed strictly in accordance with the submitted plan before any of the dwellings are occupied 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.

(11) The estate road(s) and its access shall be designed and constructed in accordance with 'Technical Requirements for Estate Roads in Anglesey' (copies of this document are available free on request from the local planning authority).

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

(12) The estate road(s) shall be kerbed and the carriageway and footways finally surfaced and lighted before the last dwelling on the estate is occupied or within 2 years of the commencement of the work on the application site whichever is the sooner.

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

(13) The car parking accommodation shall be completed in full accordance with the details as submitted before the use hereby permitted is commenced and thereafter retained solely for those purposes.

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

(14) No development shall commence until measures are in place to secure the future maintenance of the access and estate roads in accordance with details previously submitted and approved in writing by the local planning authority. The management and maintenance plan for the lifetime of the development shall include the arrangements to secure the operation of the scheme throughout its lifetime.

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

(15) No development shall commence until plans are submitted and approved by the Planning Authority showing details of the following:

- o longitudinal and cross sections through the estate roads showing the proposed road levels relative to the existing ground levels and proposed garage floor levels.
- o the surface water drainage and means of disposal including the position of gullies, pipe diameters, design data and outfall.
- o the location and the type of street lighting furniture.

The development shall thereafter be carried out in accordance with the approved detail.

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

(16) No surface water from the within the curtilage of the site to discharge onto the county highway. No development shall commence until full design details for the drainage of the site have been submitted to and approved by the Local Planning Authority. No dwelling shall be occupied until the approved scheme has been implemented in full and to the written satisfaction of the Local Planning Authority.

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

(17) The commencement of the development shall not take place until there has been submitted to and approved in writing by the Local Planning Authority, a Construction Traffic Management Plan (CTMP). The CTMP shall include;

(i) The routing to and from the site of construction vehicles, plant and deliveries.

(ii) The type size and weight of construction and delivery vehicles to be used in connection with the construction of the development, having regard to the geometry, width, alignment and structural condition of the highway network along the access route to the site;

(iii) The timing and frequency of construction and delivery vehicles to be used in connection with the development, having regard to minimising the effect on sensitive parts of the highway network and construction routes to the site, including regard for sensitive receptors e.g. schools and network constraints;

(v) Measures to minimise and mitigate the risk to road users in particular non-motorised users;

(vi) The arrangements to be made for on-site parking for personnel working on the Site and for visitors;

(vii) The arrangements for loading and unloading and the storage of plant and materials;

(viii) Details of measures to be implemented to prevent mud and debris from contaminating the adjacent highway network;

The construction of the development shall be completed in accordance with the approved plan.

Reason: To ensure reasonable and proper control is exercised over construction traffic and construction activities in the interests of highway safety.

(18) No development shall commence until a 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, surface and land water, include an assessment of the potential to dispose of surface and land water by sustainable means and a maintenance and management plan for the sustainable drainage scheme and its impact upon the Cors Efail Newydd, Local Wildlife Site. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

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.

(19) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking or re-enacting that Order), the development permitted by Classes A, B, E and F of Part 1 of Schedule 2 are hereby excluded.

Reason: In the interests of amenity

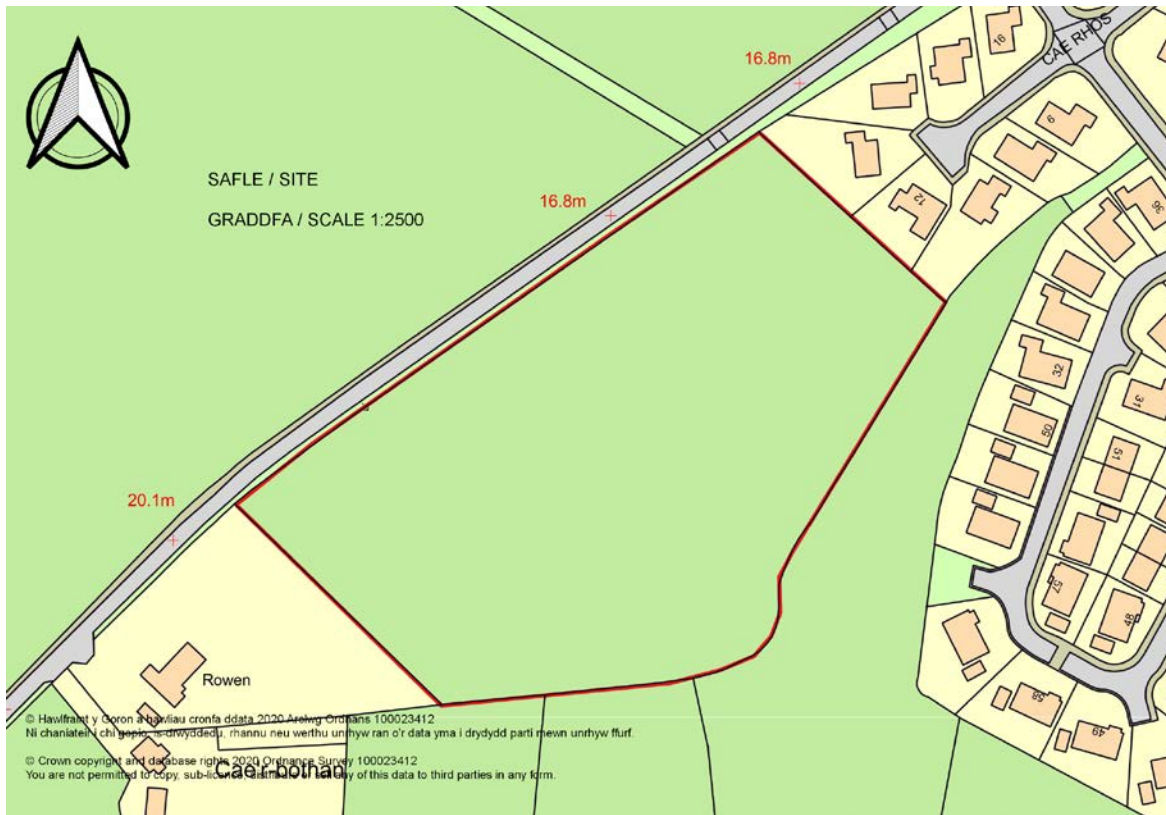
In addition the Head of Service be authorised to add to, remove or amend/vary any condition(s) before the issuing of the planning permission, providing that such changes do not affect the nature or go to the heart of the permission/development.

Application Reference: 19C1231

Applicant: Mr David & Mr Tom Nevin & Mrs Barbara Earnshaw

Description: Outline application for the erection of 32 market dwellings and 4 affordable dwellings, construction of new vehicular and pedestrian access, provision of play area and open spaces together with full details of access and layout on land adjacent to

Site Address: Cae Rhos Estate, Ffordd Porthdafach Road, Caergybi/Holyhead



Report of Head of Regulation and Economic Development Service (David Pryce Jones)

Recommendation: Permit

Reason for Reporting to Committee

The planning application is being reported back to the planning committee because it was refused by members contrary to the officer recommendation. In accordance with protocol the planning application is being reported back to the committee with a report focused on member's reason for refusal.

Main Planning Considerations

Members Reason for Refusal

Members considered that the planning application should be refused due to concerns about the impact of the proposed development on traffic and the local highways network which it was further considered would not be resolved by the Traffic Regulation Order.
Officer's Assessment of Members Reason for Refusal

The planning application has been called to the planning committee by a local member who considers that the scale of the development would result in significant highway issues. As detailed in the consultation section of this report principal objections received relates to the adequacy of the highway network at the bottom of Porthdafarch Road at Henddu Terrace and Mountain View. The primary concern is that the additional traffic produced by the proposed development would exacerbate existing congestion and a lack of visibility of oncoming vehicles which is tantamount to a single carriageway along these streets due to cars owned by occupants of the terraced houses being parked along one side of the highway.

It is material that the application site is allocated for residential purposes in the JLDP and that at part of this process the adequacy of the highway network serving the development would have been assessed in preparing the plan. It is also material that the number of dwellings proposed at 36 is 17 units (approximately 30%) less than that forecast in the JLDP.

Whilst the council's Highways Department have had concerns about the public highway leading to the application site along Henddu Terrace and Mountain View and commissioned a Transport Assessment they withdrew their objection in the September Planning Committee. This was conditional upon a requirement for a Traffic Regulation Order "TRO" for a one way street requiring that vehicles only travel in a northerly direction along Porthdafarch Road from the junction of Arthur Street to the junction with the B4545 Kingsland Road. From Kingsland Road vehicular access south along Porthdafarch Road then will only be permitted via Arthur Street which is already one way only south towards Porthdafarch Road. A TRO is a legal document which can only be prepared by the Highway Authority that restricts or prohibits the use of the highway network with the aim of improving road safety and access. As part of the statutory TRO process there will be a separate TRO consultation with local members, Holyhead Town Council and local residents. A legal agreement requiring that the developer funds the costs of the TRO process and works has been recommended as part of any planning permission granted.

In relation to members concerns about the proposed TRO the Highways Officer explained at the November Planning Committee:

- In terms of the adequacy of the turning space from Arthur Street the proposed outline design and plan shows that there is sufficient space for a bus to travel along Arthur Street with cars parked on both sides and that it would be able to turn both ways at the end of the street. Parking restrictions in the form of yellow lines would have to be imposed around the junction to ensure that the path of vehicles is not obstructed at this point; although this would result in the loss of a few parking spaces the Highways Authority believes that the one way system represents an improvement and that the application is therefore acceptable.
- As part of a separate statutory process, the proposed TRO would be consulted upon with local members, Holyhead Town Council and local residents prior to its then being presented to the Committee for approval. As part of this process the one way system would have to be shown to be workable and effective as regard vehicle flow and manoeuvrability and that further, permission would be conditional upon securing the TRO meaning that if it is not approved, then the development will not be implemented.

The applicants have worked with officer's to resolve concerns in relation to highway matters with various solutions and are now offering to fund the TRO process above. The applicant's have informed the Local Planning Authority of their intention to appeal against non-determination and given the extensive deliberations on highway safety matters, it is their intention is to request that the appeal be dealt with by way of a public inquiry. The applicant' have also indicated that they intend to apply for their costs for the appeal process and will also as part of the appeal process be requesting that the financial contributions required as part of the development are reviewed.

Conclusion

The application site is allocated for residential purposes in the JLDP and as part of this process the impact on the highway network will have been considered. The Highway Authority's concerns have been allayed subject to the requirement for a TRO which would be funded by the applicant as part of any planning permission granted. Given the considerations described above members are respectfully requested to reconsider their resolution to refuse and to approve the planning application in accord with the recommendation below.

The decision considers the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 (the WBFG Act). The decision takes into account the ways of working set out at section 5 of the WBFG Act and it is considered that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the Welsh Ministers' well-being objectives set out in section 8 of the WBFG Act.

In terms of the Well-being of Future Generations (Wales) Act 2015 it is considered that the proposed development contribute towards a more prosperous and resilient Wales in terms of the economic and biodiversity improvements being proposed as part of the development. In addition given that affordable housing will be secured as part of the proposal it is considered that the proposal will result in a more equal and cohesive Wales.

Recommendation

To grant planning permission subject to the completion of a legal agreement containing the following obligations:

Affordable Housing – Provision of 4 two bedroom affordable housing units to be sold as such on the open market or to a Registered Social Landlord (Plots 29, 30, 31 and 32).

Open Space – Provision of 972m² of equipped play space (including full details of equipment to be provided) and 1450m² of open space. Details of the maintenance and long term management of these areas including associated boundaries shall be approved by the Local Planning Authority prior to their use.

Education - A financial contribution of £73, 542 towards providing educational provision at Ysgol Kingsland.

Traffic Regulation Order "TRO" – The developer is responsible for undertaking a pre-order consultation and submitting this information along with full design details of the TRO required under planning condition (24) to the Highways Authority. The Highways Authority will then submit the order and we will arrange for it to be put in place, if approved. The developer will be liable to pay the costs of the TRO and this is a sum to be agreed when a final design has been submitted and agreed.

Thereafter that planning permission is granted subject to the following planning conditions:

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.

(01) The development hereby permitted shall be begun before the expiration of (five) years from the date of this permission.

Reason To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990.

(02) The development hereby permitted shall be carried out in strict conformity with the details shown on the approved plans, and contained in the form of application and in any other documents accompanying such application as listed below, unless specified otherwise in any conditions of this planning permission:
Location/ Block Plan Existing 1461-A3-01

Location/ Block Plan Existing 1461-A3-02
House Type A (Gogarth) Proposed Elevations 1461-A3-03
House Type A (Gogarth) Proposed Ground Floor Plan 1461-A3-03
House Type A (Gogarth) Proposed First Floor Plan 1461-A3-05
House Type B (Piscar) Proposed Elevations 1461-A3-06
House Type B (Piscar) Proposed Floor Plan 1461-A3-07
House Type D Proposed Elevations 1461-A3-08
House Type D Proposed Ground & First Floor Plan 1461-A3-13
Typical cross section through Road/ boundary wall 1461-A3-13
Location/ Block Plan Proposed 1461-A3-14
Proposed Landscape Strategy Plan 2019048/LSP/01
Reptile and Breeding Bird Survey (January 2020) Egniol
Technical Note (14 June 2019) SCP
Technical Note (14 September 2020) SCP
Design and Access and Planning Statement (November 2019) Cadnant Planning
Habitat Assessment four Choughs (September 2018) Egniol.

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

(03) If contamination is encountered in the implementation of the development hereby approved it shall be fully assessed in an appropriate remediation scheme which shall be submitted to and approved in writing by the Local Planning Authority. The relevant parts of the application site shall thereafter be remediated in accordance with the scheme of remediation approved under the provisions of this planning condition.

Reason To ensure that any contaminants present have been remediated to safeguard occupants and users of the development.

(04) No development shall commence until a 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, surface and land water, and include an assessment of the potential to dispose of surface and land water by sustainable means. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

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. Also in the interests of ecology.

(05) No development shall take place until details of the proposed slab levels of the building(s) in relation to the existing and proposed levels of the site and the surrounding land. The proposed development shall be constructed with the approved slab and ground levels.

Reason For the avoidance of doubt and to ensure a satisfactory form of development.

(06) No development shall commence until full details of all external materials (including roofing materials) and finishes (which shall include such details for all building(s)), Hard Landscaped Areas, engineering operations and all other works associated with the development) which shall include colours, construction details (where appropriate) has been submitted to and approved in writing by the Local Planning Authority. The details approved under this condition shall be implemented in full and adhered to in the completion of the development hereby approved. Hard Landscaped Area means drives, paths and other permeable or hard surfaced areas.

Reason: In the interests of visual amenities of the locality and to conserve and enhance the Area of Outstanding Natural Beauty.

(07) The provisions of Part 1, Classes A and B of the Town and Country Planning (General Permitted Development) (Wales) Order 2013 (or any amendment or Order re-voking or re-enacting that Order) are hereby excluded on plots 1, 2, 3 and 4.

Reason In the interests of the amenities of the existing residential properties in proximity.

(08) Notwithstanding the plans hereby approved no development shall take place until full details of a scheme indicating all of the proposed means of enclosure around and within the application site whether by means of walls or fences has been submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure shall be constructed or erected prior to the occupation of the dwelling(s) to which it relates and it shall thereafter be retained in the lifetime of the development hereby approved and any replacement wall or fencing shall be to an equivalent specification.

Reason To ensure that the details and appearance of the development are acceptable to the Local Planning Authority and to protect the amenities of adjacent residential properties.

(09) Notwithstanding the plans hereby approved no development shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:

(a) A Landscaping Scheme for the development hereby approved which provides for the retention of existing trees, hedges and retention/provision of landscape areas/features identified as mitigation, compensation and enhancement in the Reptile and Breeding Bird Survey (January 2020) Egniol. The Landscaping Scheme to be submitted shall show the proposed planting including species, size and their density and distinguish trees, hedges and other existing landscape areas/features to be retained showing where applicable their species, spread and maturity together with measures for protection in the course of the development hereby approved.

(b) A Management Plan which includes a method statement and detailed measures for the maintenance and monitoring of the Landscaping Scheme approved under the provisions of 10(a).

The Landscaping Scheme and Management Plan to be approved in writing under the provisions of this planning condition shall be implemented not later than the first planting season following the occupation of the development hereby approved or its completion, whichever is the sooner. The provisions of the Management Plan shall where applicable under the provisions of the scheme to be approved in writing under 10(b) above be maintained for the lifetime of the development hereby approved.

Reason In the interests of the visual amenities of the area and to secure an ecological enhancement.

(10) Any trees or shrub which forms part of the approved Landscaping Scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by a tree or shrub of a similar species, size and maturity.

Reason In the interests of the visual amenities of the area and biodiversity.

(11) No development shall commence until a Construction Environmental Management Plan "CEMP" has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include general environmental provisions relating to the construction of the development and, as a minimum, shall include detail of:

The sustainability of the construction methods to be employed;

Full specification(s) of external lighting (if any)

Working hours during the construction

Dirt and dust control measures and mitigation

Noise, vibration and pollution control impacts and mitigation;

Water quality and drainage impacts and mitigation.

Precautionary reasonable avoidance measures "RAMS" for protected species.

Existing hedge and tree protection measures.

Height, specification and colour of safety all fencing and barriers to be erected in the construction of the development hereby approved.

Monitoring and compliance measures including corrective/preventative actions with targets in the CEMP which shall accord where relevant with British Standards.

The development hereby approved shall be undertaken in accordance with the approved CEMP.

Reason: To safeguard against any impact the construction of the development may have on the environment, landscape, local ecology and local amenity.

(12)

a) No development (including trial pitting, 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 hereby shall be carried out and all archaeological work completed in strict accordance with the details as may be approved in writing by the Local Planning Authority.

b) A detailed report on the archaeological work, as required by condition 13 (a), shall be submitted to and approved in writing by the Local Planning Authority within twelve 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 2016 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).

(13) The development hereby approved shall not commence until the Local Planning Authority have approved in writing a scheme of works which shall be based on a topographical survey in respect of the following:

i. The re-alignment and reinstatement of stone walls along the frontage of the application site to provide visibility splays of 2.4 metres by 70 metres either side of the proposed vehicular access to the development from the public highway.

ii. Provision of a minimum 2 metre pedestrian footway long the whole frontage of the application site and thereafter from the proposed vehicular access of the development hereby approved to the existing pavement at the existing vehicular entrance to the Cae Rhos estate.

No other part of the development hereby approved shall commence until those works to be approved in writing under the provisions of (i) and (ii) of this planning condition have been implemented and completed.

Reason To provide adequate inter-visibility between the vehicular access of the development and the existing public highway and to minimise danger and inconvenience to users of the highway and the development. Also to conserve and enhance the Area of Outstanding Natural Beauty.

(14) The vehicular access to the development hereby approved shall be constructed with 2.4 metre by 70 metre splays on either side.

Within the vision splay lines nothing exceeding 1 metre in height above the level of the adjoining carriageway of the public highway shall be permitted at any time.

Reason: To provide adequate inter-visibility between the access and the existing public highway for the safety and convenience of users of the highway and the access.

(15) The vehicular access to the development hereby approved 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 the development.

(16) The vehicular access to the development hereby approved shall be constructed with its gradient not exceeding 1 in 20 for the first 5 meters back from the nearside edge of the adjoining carriageway of the public highway.

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

(17) The vehicular access to the development hereby approved shall be completed with a bitumen surface for the first 5 meters from the nearside edge of the public highway.

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

(18) No surface water from the development shall discharge onto the public highway. No development shall commence until full design details for the surface water drainage of the development have been submitted to and approved in writing by the local planning authority. No dwelling shall be occupied until the approved scheme has been implemented and is fully operational.

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

(19) No development shall commence until plans have been submitted to and approved in writing by the local planning authority showing full specifications of the following:

- longitudinal and cross section through the service road showing the proposed road levels relative to the existing and proposed ground levels.
- the surface water drainage and means of disposal including the position of gullies, pipe diameters, design data and outfall.
- the location and the type of highway street lighting furniture.

The development hereby approved shall be completed in accord with details to be approved under the provisions of this planning condition.

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

(20) The estate road(s) and its access shall be designed and constructed in accordance with 'Residential Road Adoption requirements, Anglesey' (Copy enclosed with this decision notice).

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

(21) The estate road(s) shall be kerbed and the carriageway and footways finally surfaced and lighted before the last dwelling on the estate is occupied or within 2 years of the commencement of the development.

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

(22) The commencement of the development shall not take place until there has been submitted to and approved in writing by the local planning authority a Construction Traffic Management Plan "CTMP". The CTMP shall include;

(i) The routing to and from the site of construction vehicles, plant and deliveries.

(ii) The type size and weight of construction and delivery vehicles to be used in connection with the construction of the development, having regard to the geometry, width, alignment and structural condition of the highway network along the access route to the site;

(iii) The timing and frequency of construction and delivery vehicles to be used in connection with the development, having regard to minimising the effect on sensitive parts of the highway network and construction routes to the site, including regard for sensitive receptors e.g. schools and network constraints;

(v) Measures to minimise and mitigate the risk to road users in particular non-motorised users;

(vi) The arrangements to be made for on-site parking for personnel working on the construction of the development hereby approved and for visitors;

(vii) The arrangements for loading and unloading and the storage of plant and materials;

(viii) Details of measures to be implemented to prevent mud and debris from contaminating the adjacent highway network;

The construction of the Development shall be completed in accordance with the approved CTMP.

Reason: To ensure reasonable and proper control is exercised over construction traffic and construction activities in the interests of highway safety.

(23) The dwelling(s) hereby approved shall not be occupied until the car parking space(s) for those dwelling(s) have been completed. The car parking spaces(s) shall be retained for these purposes in the lifetime of the development hereby approved.

Reason: To ensure that the development does not result in any road / parking problems.

(24) No development shall commence until a Traffic Regulation Order "TRO" for a one way street requiring that vehicles only travel in a northerly direction along Porthdafarch Road from the junction of Arthur Street to the junction with the B4545 Kingsland Road has been secured by the Local Highway Authority.

Reason To mitigate the additional traffic generated by the proposed development which would be detrimental to the free flow of traffic and road safety.

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: PS 1, ISA 1, ISA 5, PS 4, TRA 2, TRA 4, PS 5, PS 6, PCYFF 1, PCYFF 2, PCYFF 3, PCYFF 4, PCYFF 6, TAI 1, TAI 8, TAI 15, AMG 1, AMG 3, AMG 5, PS 19, PS 20, AT 4.

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.

Application Reference: FPL/2020/92

Applicant: Mr M Altab

Description: Full application for the creation of 2 parking spaces at

Site Address: 3 Bronallt, Ffordd Cambria Road, Porthaethwy / Menai Bridge



Report of Head of Regulation and Economic Development Service (Joanne Roberts)

Recommendation: Permit

Reason for Reporting to Committee

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

At its meeting held on the 4th November, 2020 the Committee resolved to refuse the application contrary to officer recommendation. The recorded reasons being as follows:

- The proposal is contrary to JLDP policy PS 20 which states that in seeking to support the wider economic and social needs of the Plan area, the Local Planning Authorities will preserve and where appropriate, enhance its unique heritage assets.

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;

- Policy PS 20: Preserving and Where Appropriate Enhancing Heritage Assets

The application site is located within the designated Conservation Area, consequently the Conservation Officer was consulted on the proposals.

The Conservation Officers response noted that the existing boundary walls were in poor condition and of low architectural or historic interest which do not make a significant contribution to the character and appearance of the Conservation Area. He further commented that their removal may provide an opportunity to enhance the Conservation Area.

In light of the Conservation Officer's comments in relation to the proposed development, it is not therefore considered that the proposal conflicts with the requirements of policy PS 20 of the JLDP.

Conclusion

The proposal is considered to be acceptable and it is not considered that the proposal will have a detrimental impact upon pedestrian or highway safety or upon the character and appearance of the designated Conservation Area.

Recommendation

(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 car parking accommodation shall be completed in full accordance with the details as shown on drawing reference OBS-2018-057-PD001 before the use hereby permitted is commenced and thereafter retained solely for those purposes.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

(03) No development shall commence until a surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development.

Reason: In order to ensure that the development is adequately drained.

(04) 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:

- **Proposed Parking Drawing: OBS-2018-057-PD001**

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

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: PCYFF1, PCYFF2, PS20, AT1

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.

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Planning Committee: 02/12/2020

12.1

Application Reference: FPL/2020/166

Applicant: Mr and Mrs Jones

Description: Full application for the conversion of the outbuildings into 4 Holiday Units at

Site Address: Cymunod, Bryngwran, Caergybi/Holyhead



Report of Head of Regulation and Economic Development Service (Gwen Jones)

Recommendation: Refuse

Reason for Reporting to Committee

The planning application has been called into the Planning Committee for consideration by the local member to ensure the proposal complies with relevant policies and guidance.

Proposal and Site

The planning application is a full application for the conversion of outbuildings into 4 holiday units at Cymunod, Bryngwran.

Key Issues

The key issues are

- Policy Consideration
- Sustainability
- Highways
- Ecological Considerations
- Affect on residential properties

Policies

Joint Local Development Plan

Policy PCYFF 1: Development Boundaries
 Policy PCYFF 2: Development Criteria
 Policy PCYFF 3: Design and Place Shaping
 Policy PCYFF 4: Design and Landscaping
 Strategic Policy PS 13: Providing Opportunity for a Flourishing Economy
 Strategic Policy PS 14: The Visitor Economy
 Policy TWR 2: Holiday Accommodation
 Strategic Policy PS 19: Conserving and Where Appropriate Enhancing the Natural Environment
 Policy AMG 5: Local Biodiversity Conservation
 Policy CYF 6: Reuse and Conversion of Rural Buildings, Use of Residential Properties or New Build Units for Business/Industrial Use
 Strategic Policy PS 4: Sustainable Transport, Development and Accessibility
 Policy TRA 4: Managing Transport Impacts
 Strategic Policy PS 5: Sustainable Development

Supplementary Planning Guidance - Replacement Dwellings and Conversions in the Countryside (September 2019)

Planning Policy Wales (Edition 10, December 2018)

Response to Consultation and Publicity

Consultee	Response
Priffyrdd a Trafnidiaeth / Highways and Transportation	No objection.
Iechyd yr Amgylchedd / Environmental Health	Standard Response.
Dwr Cymru Welsh Water	Standard Comments.
Cyfoeth Naturiol Cymru / Natural Resources Wales	Conditional Approval.
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Standard Advice.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	Conditional Approval.
Ymgynghorydd Tirwedd / Landscape Advisor	Standard Comments.
Cyngor Cymuned Bodedern Community Council	No response at the time of writing the report.
Cynghorydd Llinos Medi Huws	No response at the time of writing the report.
Cynghorydd Kenneth P. Hughes	Call in to the planning committee for consideration to ensure compliance with policies and guidance.
Cynghorydd John Griffith	No response at the time of writing the report.

Diogelu – Y Weinyddiaeth Amddiffyn / MOD Safeguarding	No objection.
GCAG / GAPS	Conditional Approval.
Ymgynghoriadau Cynllunio YGC	Standard Comments.

The proposal has been advertised through the distribution of personal letters of notification to the occupiers of neighbouring properties. The latest date for the receipt of any representation was the 29/10/20. At the time of writing this report, no letter of representation had been received at the department.

Relevant Planning History

HHP/2020/79 - Full application for alterations and extensions at - Cymunod, Holyhead -Permit

FPL/2019/206 - Full application for the demolition of the existing dwelling together with the erection of a new dwelling in lieu which include a balcony at - Cymunod, Bryngwran - Withdrawn

Main Planning Considerations

Policy Considerations

Policy PCYFF 1 'Development Boundaries' (formerly New Policy 'Development Boundaries' in the Composite Plan January 2017) states that development outside development boundaries will be resisted unless it is in accordance with specific policies in this Plan or national planning policies or that the proposal demonstrates that its location in the countryside is essential.

Policy TWR2 'Holiday Accommodation' states that proposals for:

1. The development of new permanent serviced or self-serviced holiday accommodation, or
2. The conversion of existing buildings into such accommodation, or
3. Extending existing holiday accommodation establishments, will be permitted, provided they are of a high quality in terms of design, layout and appearance and that all the following criteria can be met:

i. In the case of new build accommodation, that the development is located within a development boundary, or makes use of a suitable previously developed site;

This is not a new build and is a conversion of existing outbuilding.

ii. That the proposed development is appropriate in scale considering the site, location and/or settlement in question;

The proposal is appropriate in scale.

iii. That the proposal will not result in a loss of permanent housing stock;

The proposal will not lead to loss of permanent housing stock.

iv. That the development is not sited within a primarily residential area or does not significantly harm the residential character of an area;

It is not considered that the application site is sited within a primarily residential area and it is not considered that it will harm the residential character of the area.

v. That the development does not lead to an over-concentration of such accommodation within the area.

A business plan has been received and it is not considered that the proposal will lead to an over-concentration of such accommodation within the immediate area.

Design

The proposal has been designed to maintain the original character of the outbuilding. Original openings have been maintained and new openings kept to a minimal. Some extensions will be proposed on some of the units; the extensions amount to around 8% increase, this is in line with the guidance set out in the Supplementary Planning Guidance (SPG) on Replacement Dwellings and Rural Conversions in the Countryside. From the information provided with the planning application there will be some minor re-building.

Sustainability

Policy PS 5 (Sustainable Development) supports development which is consistent with sustainable development principle, where appropriate, development should:

“Reduce the need to travel by private transport and encourage opportunities for all user travel when required as often as possible by means of alternative modes, placing particular emphasis on walking, cycling and using public transport in accordance with Strategic policy PS 4;” (Bullet point 12, Policy PS 5)”

It is considered that the policies contained within the JLDP are consistent with national planning policy in terms of its approach to sustainable development principles. Paragraph 3.35 of PPW (edition 10, December 2018) states,

“In rural areas most new development should be located in settlements which have relatively good accessibility by non-car modes when compared to the rural area as a whole. Development in these areas should embrace the national sustainable placemaking outcomes and, where possible, offer good active travel connections to the centres of settlements to reduce the need to travel by car for local journeys.”

This is supported by paragraph 3.11 of Technical Advice Note 18: Transport, which states:

“Development in rural locations should embody sustainability principles, balancing the need to support the rural economy, whilst maintaining and enhancing the environmental, social and cultural quality of rural areas. Most development should be located in places accessible by a range of travel modes.”

Paragraph 3.15 of TAN 18 states that tourism proposals, particularly in rural areas, should demonstrate access by choice of modes in order to avoid the necessity to travel by car. In rural areas the lack of public transport access needs to be balanced against the contribution tourism makes to the rural economy of the specific area.

The proposed development is located in an open countryside location.

- Llanfihangel yn Nhowyn is located some 2.12km from the site with only a takeaway facility available.
- Bodedern is located some 2.86km away from the site with 1 local convenience store.
- Caergeiliog is located 3.38km away from the site with only a post office and take away.

There are some services in these villages but, none that would be particularly useful to visitors to the proposed development. It is not practicable for most people to walk to and from hot food takeaways at such distances and there does not appear to be a convenience store where daily supplies could be purchased. It is considered unlikely that visitors would be prepared to undertake the, at least 30-40 minute, round trip on foot to the services available in the neighbouring villages.

The nearest bus stop is located 475 metres away with the nearest public right of way being located some 333 metres away from the site. The public rights of way in the area has poor connectivity

In addition to the distance involved, the narrow road width, limited footways and restricted visibility along parts of the road means it is unlikely that many journeys would be carried out by walking or cycling, therefore creating a reliance on private transport use. Although proposals necessitating the use of private vehicles are not prohibited through the JLDP, Policy PS5 promotes the application of sustainable development principles in all new developments, including directing developments towards the most appropriate locations and reducing the need to travel by private transport. The development would lead to a significantly increased number of trips by private car and private coaches to this location and the proposal is not entirely accessible via non-car modes of transport. The proposed development would be car dependent and would not minimise the need to travel, contrary to several of the National Sustainable Placemaking Outcomes set out in Planning Policy Wales.

Due to the site being in open countryside, away from local infrastructure, and the reliance on private transport, it would not constitute a suitable location as required by Policy CYF6, Strategic Policy PS5, Strategic Policy PS14 and TAN 18

Business Plan

Paragraph 6.3.67 of the JLDP states that in order to judge whether the proposed development will not lead to an over-concentration of this type of holiday accommodation within a particular location, applicants will be required to submit a detailed business plan, which demonstrates the robustness of the proposed scheme. This enables the Council to assess whether the scheme has a realistic chance of being viable, is not speculative in nature, and would help to make sure that there is no loophole to allow the redevelopment of existing buildings in the countryside for holiday use, and then allow them to convert to residential use if shown to be unviable in holiday use.

The business plan provided clearly shows that the proposal will not lead to an over-concentration of such accommodation in the area.

Structural Survey

A structural survey was received with the planning application and the conclusion of the survey indicated that the building is structurally sound and will not require extensive re-building works.

Protected Species

Section 6, Part 1 of the Environment (Wales) Act 2016 states that the LPA must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales. Policy AMG5 of the Joint Local Development Plan aims to ensure protection and improvements in local biodiversity.

A protected species survey was provided with the planning application. The survey confirmed that bats are using outbuildings 1, 2 and 3 and in order to mitigate the loss of the roosts a new roost area will be provided in another outbuilding. Any planning consent would need to consider the mitigation measures outlined in the protected species survey.

Highways

The Highways Authority has confirmed that they have no objection to the proposal.

Impact upon the amenities of residential properties

There are no immediate neighbours close to the application site, therefore the development will not have a negative impact upon any neighbours.

Conclusion

It is not considered that the application site is located in a sustainable location. The proposal would be highly dependent on private car use and would lead to a significantly increased number of trips by private car to this location. The proposal is not entirely accessible via non-car modes of transport. The proposed development would be car dependent and would not minimise the need to travel contrary to local and national policies and guidance.

Consideration has been given to the requirements of the Well Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objective of supporting safe, cohesive and resilient communities.

Recommendation

(01)The local planning authority considers that the development undermines the Welsh Governments commitment to sustainability in terms of its location. The proposal would thus result in isolated and unsustainable development of holiday accommodation in the countryside which would conflict with Strategic Policy PS4 and PS5 of the Joint Local Development Plan, Planning Policy Wales (Edition 10) (2018), Technical Advice Note 18: Transport and Welsh Government's Building Better Places: Placemaking and the Covid-19 Recovery (July 2020)

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.

Application Reference: FPL/2019/322

Applicant: Mr. William Morris

Description: Full application for conversion of a church into a dwelling together with a construction of a new vehicular access at

Site Address: Christ Church, Rhosybol



Report of Head of Regulation and Economic Development Service (Iwan Jones)

Recommendation: Permit

Reason for Reporting to Committee

Local Member Aled Morris Jones has referred the application the Planning and Orders Committee for determination.

Proposal and Site

The application is for the conversion of a church into a dwelling together with a construction of a new vehicular access. The application site is located within the rural village of Rhosybol and situated within the development boundary as defined within the Joint Local Development Plan (JLDP). The site is accessible from the main highway to the west of the site. Residential properties are located to the north, south and west.

Key Issues

Whether or not the proposal complies with local and national policies, whether the proposal will have an impact upon the neighbouring properties and highway safety.

Policies

Joint Local Development Plan

Policy PCYFF 2: Development Criteria
Policy PCYFF 4: Design and Landscaping
Policy PCYFF 3: Design and Place Shaping
Policy PCYFF 1: Development Boundaries
Policy PCYFF 5: Carbon Management
Policy TAI 15: Affordable Housing Threshold & Distribution
Policy TAI 4: Housing in Local, Rural & Coastal Villages
Policy ISA 2: Community Facilities
Policy ISA 1: Infrastructure Provision
Strategic Policy PS 2: Infrastructure and Developer Contributions
Policy TRA 2: Parking Standards
Policy TRA 4: Managing Transport Impacts
Strategic Policy PS 5: Sustainable Development
Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change
Policy PCYFF 2: Development Criteria
Policy PCYFF 4: Design and Landscaping
Policy PCYFF 3: Design and Place Shaping
Policy PCYFF 1: Development Boundaries
Policy PCYFF 5: Carbon Management
Policy ISA 2: Community Facilities
Policy ISA 1: Infrastructure Provision
Policy TAI 4: Housing in Local, Rural & Coastal Villages
Strategic Policy PS 2: Infrastructure and Developer Contributions
Policy TRA 2: Parking Standards
Policy TRA 4: Managing Transport Impacts
Strategic Policy PS 5: Sustainable Development
Strategic Policy PS 6: Alleviating and Adapting to the Effects of Climate Change

Response to Consultation and Publicity

Consultee	Response
Cynghorydd Richard Griffiths	Concerns regarding parking and the location of gravestones.
Cynghorydd Aled Morris Jones	Concerns regarding parking and that the site is unsuitable for the proposed development,
Cynghorydd Richard Owain Jones	No Response
Cyngor Cymuned Rhosybol Community Council	Concerns regarding existing gravestones and availability of parking area.
Ymgynghorydd Ecolegol ac Amgylcheddol / Ecological and Environmental Advisor	No objection
Ymgynghorydd Treftadaeth / Heritage Advisor	No Objection
Iechyd yr Amgylchedd / Environmental Health	No Objection

Cyfoeth Naturiol Cymru / Natural Resources Wales	Conditional Approval
YGC (Ymgynhoriaeth Gwynedd Consultancy)	No Response
Strategol Tai / Housing Strategy	No Response
Dwr Cymru Welsh Water	Conditional Approval
Gwasanaeth Cynllunio Archeolegol Gwynedd Archaeological Planning Service	No Objection
Uned Polisi Cynllunio ar y Cyd / Joint Planning Policy Unit	Comments are included within the main core of the response
The Representative Body of the Church in Wales	No Response

The proposal was advertised with the posting of notifications to adjacent properties. Following receiving amended plans the publicly process has been undertaken on two separate occasions. The expiration of the latest publicly period was the 19/11/2020. At the time of writing this report six correspondence had been received by the Local Planning Authority. The main points raised are summarised below:

- Concerns regarding highway safety and parking availability.
- Concerns regarding the loss of trees.
- Concerns regarding wildlife
- Concerns proposal would impact upon amenity of nearby residential properties.
- A number of gravestones are scattered around the site.

Relevant Planning History

44C325 - Full Planning - Cais llawn i newid defnydd o hen eglwys i annedd yn / Full application for conversion of the former church into a dwelling at Christ Church, Rhosybol - Withdrawn 31/10/2016

Main Planning Considerations

The main chapel can be viewed from the main highway and is accessible from the west. The building is currently in a state of disrepair following being disused since 1996 and declared redundant in 2005. The church was built in 1875 to designs of Henry Kennedy, architect, of Bangor. It featured a divided nave and chancel, north porch and south vestry, bell-cote above west gable, and an east window with plate tracery. Although the church has a historic architectural value, it does not form part of Listing under the Planning (Listed Building and Conservation Areas) Act 1990.

A turntable parking area is proposed at the front of the chapel. The proposal entails converting the chapel into two storeys with the inclusion of Velux windows. This will enable the building to include a lounge, dining / kitchen area, bathroom, two bedrooms and a first floor games room.

Since the initial submission, amendments have been made to the proposal which included a turntable and mitigation measures in terms obscured glazed windows.

Policy Considerations:

In the JLDP Rhosybol is identified as a Local Village under Policy TAI 4 (Housing in Local, Rural and Coastal Villages). This policy supports housing to meet the Plan's strategy through housing allocations and suitable unallocated sites within the development boundary based upon the indicative provision shown within the Policy.

In accordance with Policy PCYFF 1 ('Development Boundaries'), proposals within development boundaries are approved if they comply with other policies and proposals in the Plan, National policies

and other relevant planning considerations. As the site lies within the Rhosybol development boundary as identified in the JLDP the proposal can therefore be considered against Policy TAI 4. The application site is located in a sustainable location within the development boundary of Rhosybol and is in close proximity to nearby public amenity areas.

Community Facility:

As the application is the proposed conversion of a Church, consideration should be given to Policy ISA 2 ('Community Facilities'). This Policy aims to protect existing community facilities and encourage the development of new facilities where appropriate. The Policy aims to resist the loss or change of use of an existing community unless a suitable replacement facility can be provided or it can be demonstrated that the facility is inappropriate or surplus to requirements.

The applicant has submitted a correspondence from the Representative Body of the Church in Wales stating that the church was closed in 1996 and declared redundant in 2005. The church is therefore considered surplus to requirements and as such satisfying with criterion 2 ii of Policy ISA 2.

Welsh Language:

The indicative provision for Rhosybol over the Plan period is 24 units (which, includes a 10% 'slippage allowance', which means that the calculation has taken account of potential unforeseen circumstances that could influence delivery of housing due to, e.g. land ownership issues, infrastructure constraints, etc.). In the period 2011 to 2018 a total of 5 units have been completed in Rhosybol. The windfall land bank, i.e. sites with existing planning consent, at April 2018 stood at 5 (with all of these being likely to be developed). This means that at present there is capacity within the indicative supply for the settlement of Rhosybol. However 15 dwellings at the former Marquis Inn in Rhosybol has been approved and as such the indicative capacity of the settlement has been exceeded. In accordance with criterion 1(b) of Policy PS1 'The Welsh Language and Culture', as this development, would subsequently, collectively provide more than the total indicative housing provision for Rhosybol, a Welsh Language statement is submitted with the application which concludes that the impact upon the Welsh Language will be comparatively low.

Character of the Building:

As previously noted the church is not Listed, however does hold some architectural historic value. The proposed development does retain the character of the building. Concerns were initially raised by the Built Environment section with respect to the number of roof openings being proposed. However, following amended plans being received reducing the size of the proposed roof windows and replacing them with a more conservation style windows, the section was supportive of the proposed development.

Existing Gravestones:

Numerous gravestones are located around the Church. Members of the public have raised concerns that granting permission for the proposed use would prevent the public from visiting the gravestones. The applicant has stated the proposed development would not hinder the visitors from accessing the gravestones and that improvements to the access would allow easier and safer access.

The matter is considered a civil matter outside the planning remit. Nevertheless, consultation has been undertaken with The Representative Body of the Church in Wales regarding the proposed development. At the time of writing this report no response has been received.

Impact upon amenity of nearby properties:

The application site adjoins residential properties to the north and south. Residential properties are also located to west, opposite the public highway.

The chapel is rectangular shaped running west from west to east across the site. Windows are being proposed on the northern, eastern and southern elevations. These include the introduction of first floor Velux windows on the northern and southern elevations.

A dwelling house known as the Old Rectory is located towards the north elevation of the site whilst a dwelling house known as Heddfryn is located to the south.

Windows are located on the northern elevation of the chapel which will overlooking the neighbouring property. A distance of approximately 7 meters is between these windows and the boundary of the Old Rectory. The Supplementary Planning Guidance (SPG) Design Guide for the Urban and Rural Environment recommends a distance of 10.5 meters. However, since some of these windows are obscured and that existing vegetation is located along the boundary, it is considered that the proposed development will not significantly harm the amenity of the Old Rectory to warrant refusal of the application.

The Supplementary Planning Guidance (Design for the Urban and Rural Environment) SPG also requires a distance of 15 meters between secondary windows. As previously noted, a number of windows located at the northern elevation is obscured. Following receiving amended plans which obscured two of the first floor windows located closest to the Old Rectory, the nearest clear glazed secondary window to a secondary window is at a distance of approximately 15.5 meters.

As previously noted, a dwelling (Heddfryn) is also located to the south of the application site. The distance between the church and the boundary together with habitable windows exceeds the distances noted above. The distances to the residential properties located across the public highway to west also exceeds these distances.

Policy PCYFF 2 of JLDP requires that appropriate amenity spaces should be provided. Since graves are scattered around the site, the applicant has not included the entire site within the proposed curtilage area. As such a perimeter around the church together with an area of land covering approximately 140 square metres to the south east is proposed as amenity land. In order to provide a definitive boundary from the curtilage area to the remaining part of the site which includes numerous graves, a condition will be attached to the permission which will ensure that a reasonable and sympathetic boundary treatment will be included as part of the development.

Although it is acknowledged that the proposed development may generate an increase in nuisance such as noise and light in comparison to the existing vacant site, due to the fact that the site is located in a relatively dense residential area and that mitigation measures are being proposed, it is not considered that this would result in an unacceptable harm to its residential amenity of nearby properties.

Local Highway Authority:

The application site is accessible from the main public highways to the west. As part of the application, the existing vehicular access will be widened and a turntable installed at the site. Concerns were initially raised by the highway section that any vehicle entering the site would have limited room to manoeuvre to the detriment of both highway and pedestrian safety. However, following receiving amended plan which included a turntable, the Local Highways Authority are satisfied with the proposed development subject to conditions.

Other Matters:

Gwynedd Archaeological Planning Service has been consulted regarding the application. Since there will relatively small amount of groundworks proposed, it is not considered that the works warrants mitigation.

A Bat Survey has been submitted as part of the application. The Local Planning Authority's Ecologist has assessed the application and is satisfied with the proposed development following the inclusion of bat roosts. Natural Resources for Wales have raised no objection to the application.

Conclusion

The application is acceptable in policy terms. Following receiving amended plan which included a turntable the highway matters has been assessed and considered acceptable.

Given due consideration to design together with distances between existing properties the proposal is considered acceptable subject to conditions.

Recommendation

Approve the proposed development subject to 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
- Cross Section - fccr10a/002
- Floor Plans and Elevations - fccr10a/001
- Access Plan
- Car Parking Plan
- Proposed Drainage Plan
- External Area Plan
- Cambrian Ecology LTD - Bat & Protected Species Survey

Reason: To ensure that the development is implemented in accord with the approved details.02

(03) The access shall be laid out and constructed strictly in accordance with the submitted plans before the dwelling is occupied 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.

(04) The car parking accommodation shall be completed in full accordance with the details hereby approved before the use hereby permitted is commenced and thereafter retained solely for those purposes.

Reason: To enable vehicles to draw off, park and turn clear of the highway to minimise danger, obstruction and inconvenience to users of the adjoining highway.

(05) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2013 (or any Order revoking or re-enacting that Order), the development permitted by Classes A, B, C, D, E and F of Part 1 of Schedule 2 are hereby excluded.

Reason: In the interests of residential and visual amenity.

(06) Construction works shall not take place outside the hours of 8:30 to 17:30 Mondays to Fridays and 9:00 to 13:00 on Saturdays and at no time on Sundays or Public Holidays.

Reason: To protect the amenities of nearby residential occupiers.

(07) No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

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.

(08) Prior to the occupation of the residential unit hereby approved a plan indicating the positions, height, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the local planning authority. The boundary treatment shall be completed as approved before the use is commenced.

Reason: To ensure a satisfactory appearance of the development.

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.

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Background

The Council allows public speaking at the Planning and Orders Committee in accordance with its published protocol. This protocol was suspended at the beginning of the Covid-19 pandemic as working practices, including the holding of meetings virtually instead of in the Council Chamber, were adapted in response to changing circumstances. The Committee resolved to allow public speaking to continue in virtual meetings but by means of written submissions only.

The Council has decided to allow participants to speak at the Scrutiny Committee by joining the virtual meeting and a protocol has been published to govern this process.

Public Speaking at the Planning and Orders Committee

In order to provide a consistent and fair process to all interested parties, this report is submitted to ask the Members of the Committee to consider the options and decide on their preferred approach in allowing public speaking at the Planning and Orders Committee.

Current Arrangements

Those who wish to speak at the Planning and Orders Committee, either for or against a particular proposal, must register to speak in accordance with the published protocol. Speakers are invited to submit their written representations in accordance with the protocol and these are read out on their behalf at the relevant Committee. The process allows views about the proposal to be made known but does not allow an opportunity for Members to ask questions of the 'speakers' for example, to obtain clarification or additional information. The continuation of this arrangement remains an option.

Other Possible Alternative Arrangements

1. Video Presentation

Registered speakers could prepare a video presentation of their views on a particular proposal to be screened during the relevant Committee meeting.

Limitations to this option include

- that the members would not be given an opportunity to ask questions of the speaker;
- the video submitted by the speaker must adhere to an agreed protocol e.g. neutral background, no use of additional illustrative material so would need to be reviewed by officers before transmission (time and resource implications);
- process failure and implications on the timescale for decisions and equity in the determination of an application e.g. if one video in support of / objecting to an application is able to be viewed by the Committee but the corresponding conflicting opinion video is unable to be transmitted e.g. due to IT failure, the Committee would have to consider whether it could deal with the application as presented in an equitable and informed manner or whether the application should be deferred, thus risking the appeal process. Likely that a written declaration would also be required for it to be read by an officer, on behalf of the speaker, in the event of technical failures.

2. Maintain Existing Arrangements pending review of Scrutiny Committee arrangements

The participation of speakers in the virtual meetings of the Scrutiny Committee could be reviewed to assess its efficacy and limitations before the process is extended to the Planning and Orders

Committee. In the interim, the current written arrangements would be retained for the Planning and Orders Committee. Under this option the Committee is asked to delegate powers to the Chief Planning Officer in consultation with the Chair of the Committee to implement the protocol once IT and other arrangements have proved satisfactory.

Limitations to this option, in addition to the matters identified in option 3 below, include

- the public speaking protocol for the Scrutiny Committee has only been operational for a limited period and has not been used to date risking delay in broadening the availability to the Planning and Orders Committee while a sufficient use of the process is undertaken to allow a review.

3. Trial Public Speaking allowing attendance by the speakers at the Planning and Orders Committee

The participation of speakers at the Planning and Orders Committee could be trialled for a limited period to assess its efficacy and limitations. Under this option the Committee is asked to delegate powers to the Chief Planning Officer in consultation with the Chair of the Committee to implement the protocol once arrangements have proved satisfactory.

Limitations to this option include

- process failure and implications on the timescale for decisions and equity in the determination of an application e.g. if one speaker in support of / objecting to an application is able to attend and speak at the relevant Committee but the corresponding conflicting opinion cannot be heard e.g. due to IT failure, the Committee would have to consider whether it could deal with the application as presented in an equitable and informed manner potentially risking challenge or whether the application should be deferred, thus extending the timescale to deal with applications (performance) and risking the statutory appeal process;
- equity of the process by allowing those who are unable to join a virtual meeting to submit a written statement to be read out on their behalf similar to the current arrangements but resolving the inequity of dealing with supplementary questions if one speaker is attending the meeting and can participate but another is represented only by a written statement;
- the 'back-up' position of all speakers producing a written statement to be read on their behalf in the event of an IT failure and no opportunity for supplementary questions;
- establishing a clear protocol for participants e.g. no visual or audio aids; neutral background; when to switch camera and microphone on and off; when are they required to join and leave the meeting

Appended to this report is a revised public speaking protocol addressing these issues which could provide a framework for the process at the Planning and Orders Committee.

Recommendation

To maintain existing arrangements (written submissions) pending a review of the process in the Scrutiny Committee, with a view to introducing the participation of speakers at the Planning Committee under Option 2 from February 2021 but delegate powers to the Chief Planning Officer in consultation with the Chair of the Committee to implement the protocol once IT and other arrangements have proved satisfactory.

PROCEDURE ON PUBLIC SPEAKING AT THE PLANNING AND ORDERS COMMITTEE : Virtual Meetings

1. INTRODUCTION

1.1 As part of our commitment to openness and transparency, this Authority has adopted a policy of allowing members of the public to address the Planning and Orders Committee when planning applications are being determined.

1.2 This document explains the procedure by which the public can address the Planning and Orders Committee during virtual meetings. The public cannot address the Committee as of right, but may ask for permission to do so at the discretion of the Chair of the Committee and in accordance with the Council's Planning Matters Procedure Rules and the procedures set out below.

1.3 Planning and Orders Committee meetings are held via digital platforms (Microsoft Teams and Zoom) during the current Covid pandemic.

1.4 Public speaking will not be permitted on agenda items such as apologies for absence, declarations of interest and minutes.

1.5 The right to speak does not include the right to ask any questions of any County Council member, officer of the Council, invited attendees or any other speaker.

2. WEBCASTING

2.1 Please note that live webcasting of meetings is currently suspended but meetings of the Committee are recorded and filmed for subsequent broadcast on the Council's website. The Authority is a Data Controller under the Data Protection Act and data collected during this filming will be retained in accordance with the Authority's published policy - <https://www.anglesey.gov.uk/en/Council/Data-protection-and-FOI/Data-Protection-Policy-and-privacy-notice.aspx>

2.2 Any speaker who **does not wish to be filmed** must ensure that they have switched off their camera prior to the start of the Committee. Audio recordings **will be taken** and made available for subsequent broadcasting.

3. THE PROCEDURE

Notification of the Public

3.1 The Council undertakes publicity in relation to relevant applications in accordance with statutory requirements and which may include the placing of a notice on or near the application site, individual notification, press advert or any combination of these methods of notification. The Council's website details how written representations can be made in relation to applications - <https://www.anglesey.gov.uk/en/Residents/Planning-building-control-and-conservation/Planning/Comment-and-object-on-a-current-planning-application.aspx>

Registering to Speak

3.2 Anyone who wishes to address their representations directly to the Planning Committee about a particular application can register to speak. To do so, they must e-mail the Planning Service via **planning@anglesey.gov.uk** to register a request to speak. The e-mail should be marked for the attention of Public Speaking and contain the reference number of the application; full contact details for the person named as requesting to speak and confirmation of whether they are speaking in support of or in objection to the application. An acknowledgement of receipt will be sent which will contain a link to the application on the Council's web-based system.

3.3 Requests to speak must be made in accordance with paragraph 3.2 above by no later than **12.00p.m. on the Friday before the Committee meeting**. The meeting calendar is published on the Council's website - <http://democracy.anglesey.gov.uk/mgCalendarMonthView.aspx?GL=1&bcr=1&LLL=0> Committee agendas are usually published three working days before the Committee meeting and will include details of all applications to be discussed at that particular meeting. Late items may exceptionally be accepted as an addendum to the published agenda, at the discretion of the Chair.

3.4 Whilst e-mail requests are preferred, a request made by letter and containing relevant details including a valid email address for the speaker should be addressed to the Planning Service (Public Speaking), Council Offices, Llangefni, Ynys Mon, LL77 7TW. Letters will not be acknowledged and a link to the application cannot therefore be provided.

3.5 Requests to speak at Committee will only be registered in accordance with the guidance in paragraph 3.2, 3.3 and 3.4 above. Any request submitted in any other way, for example, within an e-mail or letter sent making representations on, or in support of or objecting to an application, will not be regarded as a formal request to speak under this procedure. Similarly, correspondence addressed to individual officers or Elected Members or other requests made to these individuals will not be regarded as a request to speak under this procedure. Verbal requests to speak will not be registered.

Application of the Procedure

3.6 Not all matters determined by the Planning Authority are 'applications' for the purposes of this procedure – reference should be made to the Council's Constitution and Delegated Functions Scheme for a definition of what matters require to be, or can be, determined by the Planning and Orders Committee - <https://www.anglesey.gov.uk/en/Council/The-Constitution/Isle-of-Anglesey-County-Council-Constitution.aspx>

3.7 Not all applications will be determined by the Planning and Orders Committee and registering to speak in support of or in objection to a particular application does not ensure that the application will be determined by the Committee.

3.8 If the application is determined by the Head of Service under delegated powers, the decision details will be published on the Council's website but no acknowledgement of that decision will be sent to those registered to speak. It is important, therefore, that interested parties follow the progress of applications on the Council's web-based system through the application link provided (paragraph 3.2 above)

3.9 Requests to speak are not limited to individuals, for example, a representative of a group or organisation can register to speak on their behalf, as can a representative of a Town or Community Council.

3.10 Speakers will only be allowed to address the Planning Committee **once** when the application of interest first appears on the Agenda (unless the application is deferred prior to any discussion of its merits and public speaking, or is to be the subject of a site visit before any discussion of the merits of the application and public speaking takes place). If this is the case, the speaker(s) will be invited by the Chair to attend the subsequent meeting in order to speak.

3.11 The consideration of an application will not be deferred if a party registered to speak in relation to it is unable to attend on the specified date. The speaker may however nominate a representative to speak on their behalf in accordance with paragraph 3.16 below.

Late Requests to Speak

3.12 If a late request to speak at Committee is received (i.e. the request is received in accordance with this procedure but after the deadline set out in paragraph 3.3 above), or if a speaker requests to be allowed to speak when the application has already been discussed at a previous Committee meeting (whether or not any speakers took part) then:

- The request must be submitted in writing (by e-mail or letter) and be accompanied by reasons why the party making that request has not previously registered to speak in accordance with this procedure;
- That request will be presented to the Chair of the Committee (or Vice-Chair in the absence of the Chair) for consideration and decision at the Pre-Committee Agenda meeting which normally takes place on the morning of the scheduled Committee meeting;
- The Chair's decision will be communicated to the party making the request as soon as practicable after a decision is taken.

3.13 A late request received on the day of the Committee meeting will not be considered under any circumstances.

3.14 Where the opportunity to speak has not been taken up in a timely manner or before the application was first discussed, then in the absence of a compelling reason, the Chair is unlikely to allow a late request, especially due to the difficulty of making a similar offer to the other party who could speak (supporter or objector as the case may be). They will usually exercise their discretion to allow a late request only where there is already a confirmed speaker for 'the other side' but is unlikely to allow an opportunity to speak once an application has been discussed.

3.15 Those wishing to speak at Committee should therefore **register that interest as soon as possible** (they should avoid waiting for publication of the agenda for example as they may risk missing the deadline to register or others may have already registered to speak beforehand).

Multiple Requests to Speak

3.16 Where multiple requests to speak are received in relation to a particular application, all requests will be recorded.

3.17 When the agenda is published, the Planning Service will as soon as reasonably practicable contact the first person registered to speak (in support of an application, in objection to an application, or both, as the case may be) to confirm whether they still wish to speak. If the first person on the list is unable to attend on the specified date, they can nominate a person to speak on their behalf but must provide full contact details for the nominee on confirmation in order that timely arrangements are made.

3.18 If the first registered person no longer wishes to speak, the offer will be made to the second person registered (where applicable) and the first registered person's place will be forfeited. Similarly, the second person can nominate a person to speak on their behalf if they are unable to attend or, if they confirm they no longer wish to speak, the offer will be made to the third person (and so on).

3.19 In the case of a registered speaker who wishes to object to an application, an offer will be made to the agent (where appointed) or otherwise to the applicant whether they wish to speak in favour of the application, whether they have previously registered to speak or not.

3.20 Once an offer to speak is made to the next registered person on the list and that person confirms they will attend to speak (in person, or through a nominee), the previously registered person cannot reassert their request to speak (e.g. because they have since made arrangements to attend in person, or have secured a nominee after confirming that they had no-one available or after previously confirming that they no longer wish to speak). The offer will only revert to the first registered speaker if everyone else subsequently registered to speak no longer wishes to do so.

Procedure at Committee

3.21 The Committee agenda will be re-ordered so that items subject to public speaking are considered first.

3.22 Speakers are expected to enter the virtual meeting via the link provided to them.

* no later than 12.45pm on the day of the Committee to ensure they can see and hear the proceedings and are able to take part. Once audio and visual capability are confirmed, speakers must switch off their camera and mute their microphone until invited by the Chair of the Committee to speak on the relevant application.

3.23 Individuals may communicate with the Committee in either Welsh or English (translation facilities are available at each meeting).

3.24 It is important that any speaker at a Committee meeting should talk in a responsible and respectful way in order to maximise the benefit of their contribution.

3.25 The Chair will introduce the individual to the Committee when it is their turn to speak.

3.26 The individual will be allowed **three minutes** to make their contribution.

3.27 Speakers are encouraged to consider the following:

- * Ensure comments are clear and concise, and directly related to the application on which they have asked to speak;
- * Avoid repeating points;
- * Limit their views to the material planning issues only.

3.28 Individuals are not allowed to share their screen at the Committee meeting or use visual / oral aids (such as photographs or diagrams or sound recordings). Any material received from the speaker as part of general representations on the planning application will already have been considered in the written report and representations received after the publication of the agenda are circulated to the Committee on the day of the meeting.

3.29 If an individual is still talking after three minutes the Chair will usually wait for them to finish their sentence and then will let them know that they have reached their time limit. Individuals are not allowed to go over time so as to ensure fairness to any other speakers. In exceptional circumstances, the Chair may allow speakers a little more time: if so, other speakers in relation to the same item will be allowed to have the same amount of extra time. Once they have expressed their views (or reached the three minute time limit for speaking) they must mute their microphone and switch off their camera.

3.30 Once the individual has concluded their contribution, the Chair may allow Committee members to ask the speaker questions to clarify any points arising from the individual's comments. The speaker must not enter into a debate with the members of the Committee. Speakers may switch on their camera and microphone only if any Member of the Committee wishes to seek clarification of any matter raised by them or asks them to respond to a question.

3.31 The individual will then be required to turn off their camera and set their microphone to mute.

3.32 The Committee will discuss the issue before making a decision, and will take into account any information provided by the public speakers.

3.33 The Chair will ensure that all speakers are treated with courtesy and respect. The Chair will have the discretion to stop a public speaker at any time in proceedings if, in the Chair's view, the speaker behaves

improperly, offensively or tries to prevent the Committee from doing its work or makes comments which are defamatory, vexatious, discriminatory or offensive. This will be at the Chair's discretion.

3.34 The speaker will be required to leave the virtual meeting after the decision on the application has been made.

3.35 All speakers must provide a written copy of their intended statement to the Committee (no longer than 2 sides of an A4 page in plain text with no images or links) to be received not later than 5pm on the Monday immediately before the Committee. In the event of an IT failure (loss of connection, unable to join meeting etc. and at the discretion of the Chair), their comments will be read out on their behalf at the relevant meeting.

3.36 In the event that one participant chooses to attend the virtual meeting to speak, but the speaker holding the opposing view is unable or chooses not to attend the virtual meeting, the speaker who is not in attendance may submit a written statement to express their views (no longer than 2 sides of an A4 page in plain text with no images or links to be received not later than 5pm on the Monday immediately before the Committee) which will be read out on their behalf. The Chair will not permit the Members to ask questions or seek clarification from the speaker in attendance.

Contact Details

Planning@anglesey.gov.uk 01248 752428

Data Protection

3.37 Contact details including email address and telephone numbers are essential in order to allow the proper functioning of this protocol and to allow public participation at Planning Committee. Personal details are only collected for the purpose of administering public speaking. Once an application has been determined at Committee, contact details will be deleted in accordance with the Council's published retention policy - <https://www.anglesey.gov.uk/en/Council/Data-protection-and-FOI/Data-Protection-Policy-and-privacy-notice.aspx>

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