

Planning and Orders Committee

Minutes of the hybrid meeting held on 5 October 2022

- PRESENT:** Councillor Neville Evans (Chair)
Councillor Glyn Haynes (Vice-Chair)
- Councillors Geraint Bebb, Jeff Evans, T LI Hughes MBE, Jackie Lewis, Ken Taylor and Robin Williams.
- Councillor Nicol Roberts – Portfolio Holder for Planning, Public Protection and Climate Change.
- IN ATTENDANCE:** Development Management Manager,
Group Engineer (Development Control & Traffic Management) (Highways) (AR),
Planning Officers,
Legal Services Manager (RJ),
Committee Officer (MEH).
- APOLOGIES:** Councillor John I Jones, Dafydd Roberts and Alwen Watkin
- Councillor Llinos Medi
- ALSO PRESENT:** Local Members : Councillors A M Jones & Derek Owen (for application 7.1); Paul Ellis (for application 12.4); Carwyn Jones & Alun Roberts (for application 12.6); Margaret M Roberts & Ieuan Williams (for application 12.8).
- Councillor Arfon Wyn
Mrs Sharon Warnes (Standards Committee) (observer)

The meeting was adjourned for 15 minutes at 3.30 p.m.

1 APOLOGIES

As noted above.

2 DECLARATION OF INTEREST

Councillor Jackie Lewis declared a personal and prejudicial interest with regard to application 12.8 on the Agenda.

3 MINUTES

The minutes of the meeting held on 7 September, 2022 were confirmed as correct.

4 SITE VISITS

The minutes of the virtual site visits held on 21 September, 2022 were presented and were confirmed as correct.

5 PUBLIC SPEAKING

There were Public Speakers in respect of applications 7.3, 7.4 and 12.2.

6 APPLICATIONS THAT WILL BE DEFERRED

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

7 APPLICATIONS ARISING

7.1 FPL/2022/66 – Full application for the change of use of land into a car parking area at Porth Wen, Llanbadrig

The application was presented to the Planning and Orders Committee at the request of a Local Member. At the meeting held on 7 September, 2022 the Committee resolved that a virtual site visit be undertaken. The virtual site visit subsequently took place on 21 September, 2022.

The Development Management Manager reported that the proposed car park covers an area of approximately 1.2 acres and is located along a single track country land some 0.7km from the main A5025 highway. The site is located in the open countryside in a designated Area of Outstanding Natural Beauty between the settlements of Cemaes and Bull Bay. It is acknowledged that there are existing traffic and parking issues in this area, especially during the summer months, with cars parking on the side of the single track road. During the virtual site visit on 21 September, 2022 the Local Members said that people are parking in this location to join the Coastal Path due to the lack of parking facilities in Cemaes and Bull Bay. He noted that there are links to the Coastal Path near the application site, however, it does not appear to be an obvious or natural location from which to join the Coastal Path and it is the presence of the nearby Porth Wen Brickworks which mainly attracts people to this particular location. Porth Wen Brickworks, however, is located on private property, outside the applicant's ownership, with no public access and where there are known health and safety concerns. He further noted that it is considered that the provision of a car parking facility in this location would likely to lead to an increase in visitors to the area and to the Brickworks in particular. Given these facts, the Local Planning Authority consider that it would be imprudent for the Council to be seen to be encouraging for facilitating trespassing on private property. The Development Management Manager further reported that there is no justification for such a large car park that is proposed on this site and it could result in increasing the traffic problems with facilitating access to the site and also there will be nothing to deter campervans etc., to make use of the site due to its size and location. He further said that a further letter was received by the Planning Department by the Agent highlighting the following : damage that the cars are making whilst parking on the side of the road; the need for a car park, due to its location, to the Coastal Path and other local attractions; it is expected that 30 cars will park on site and the rest of the field will be opened as 'overspill' during spring, summer and the beginning of October; the parking facility will be managed by erecting a temporary fence to protect the land during the winter term. The Development Management Manager further said that confirmation has been received that the applicant will be charging a parking fee, similar to other locations as Llanddwyn, Lligwy and Penmon.

The Development Management Manager said that the Local Planning Authority consider that charging for parking will result in cars still parking on the side of the road to avoid paying for parking. The application site is not previously developed land, and

does not form part of an existing tourist facility, and is not intended to serve a specific tourist attraction, consequently no need or justification for the development has been demonstrated and the proposal is therefore contrary to policy TWR 1. The proposal would neither conserve nor enhance the special qualities of the Area of Outstanding Natural Beauty and there is no compelling need or justification for the development in this particular location. The recommendation was one of refusing the application.

Councillor Aled M Jones, a Local Member said that at the virtual site visit the lay-by on the highway was full of cars and the narrow single track road near the application site is being damaged due to cars parking at the side of the road. He said that in the summer months it is impossible to travel along the single track road due to the amount of cars parked at the side of the road. He considered that permitting the application would move the vehicles off the narrow road into a safe enclosure and it would protect the environment as it would protect the road verges. The applicant is proposing to use 'Green Protection Mesh' on one third of the field and this will allow the grass to grow through the mesh. He further said that there are a number of historical sites of interest along the Coastal Path which attract visitors near to this application. He noted that reference has been made that approving this application would set a precedent but there is evidence that improvements to the parking facilities in Llanddwyn, South Stack, Penmon and Lligwy has resulted in alleviating the traffic issues within these sites. The applicant is a local farmer who is offering a solution to tackle the traffic issues on the single track road near Porth Wen. However, costs of purchasing and laying the mesh will be expensive. He further said that Llanbadrig Community Council are in support of the application.

Councillor Derek Owen, a Local Member said that parking issues along this narrow road in Porth Wen has been a problem for many years. The coastline in this area does attract many visitors. He noted that he has been a member of the Coastguard for over 25 years in the area and the access along the narrow single track lane has caused continuous problems for the Coastguard. Cars are having to be towed out of the way to allow the Coastguard to be able to reach the coastline to save people's lives. The Ambulance Service and Fire Service have also faced problems when called into the area.

Councillor Jeff Evans said that he was not against the ethos of creating car parks for people to be able to visit local attractions. He ascertained as to the intention to charge for parking if the application is approved and whether it will be affordable for local people to have use of the car park. The Chair responded that the car parking charges is unknown and it is not a planning matter. Councillor Jeff Evans proposed that the application be approved contrary to the Officer's recommendation.

Councillor Robin Williams seconded the proposal of approval of the application, however, that a condition be imposed that yellow lines be placed on both sides of the road from the main highway to the proposed car park. He further said that an additional condition needs to be imposed on any approval of the application to prohibit overnight parking on the site and that the site to be locked at night. The Legal Services Manager stated that yellow lines could only be placed on a highway and a highway would not be land controlled by the applicant and so could not be the subject of a planning condition. Councillor Robin Williams said that he still seconded the proposal to approve the application with the prohibition of overnight parking and locking of the site at night, but withdrew his recommendation to impose a condition that yellow lines be placed on the single track road.

Councillor Ken Taylor proposed that the application be refused in accordance with the recommendation of the Officer's as it does not comply with planning policy TWR 1. Councillor T LI Hughes MBE seconded the proposal of refusal.

It was RESOLVED to approve the application contrary to the Officer's recommendation on the basis that the Committee considered that it would be beneficial to alleviate the parking problems in the area and that an additional condition be place on the approval that to prohibit parking on the site overnight and for the site to be locked at night.

(In accordance with the requirements of the Constitution the application was automatically deferred to the next meeting to allow the Officers to respond to the reason given for approving the application).

7.2 S106/2022/4 – Application for the amendments of Section 106 Agreement in relation to affordable housing of planning permission 27C23A on land adjacent to Former Llanfachraeth Primary School, Llanfachraeth

The application was presented to the Planning and Orders Committee at the request of a Local Member. At the meeting held on 7 September, 2022 the Committee resolved to refuse the application contrary to the Officer's recommendation. The reasons given were that due to the current economic climate, there is a significant need for affordable housing and that it is inappropriate to lessen number of affordable houses delivered as part of the scheme.

The Development Management Manager reported that at the meeting of the Planning and Orders Committee held on 7 September, 2022 it was reported that the developer has submitted a viability assessment and Red Book Valuation which seeks to amend the current agreement with a range of options put forward. The Joint Planning Policy Unit have assessed the documents and has confirmed that providing 2 affordable dwellings is not viable in the current economic climate and in line with the affordable housing SPG, it is reasonable to reduce the affordable provision to a single unit. However, it must further be considered that under the Joint Local Development Plan, affordable housing provision requirements for new developments in Llanfachraeth stands at 20%. The proposed reduction from 2 units to 1 unit still represents a policy compliant affordable housing provision for the development under current policy. The recommendation is of approval of the application.

Councillor Jackie Lewis, and a Local Member said that there is affordable need for housing in Llanfachraeth and other areas with over 800 on the Council's housing waiting list. Having received statistics from the Housing Department she noted that 14 families are seeking an affordable dwelling in Llanfachraeth. She referred that it is difficult to evaluate the cost of affordable housing due to the cost of living crisis and interest rates rising for people who wish to buy houses. Councillor Lewis questioned a system which allows a developer to seek to modify an affordable housing provision whilst making a profit on the building of these dwellings. She welcomed the Home Buyers Scheme on Anglesey and the Equity Loans Scheme but with interest rates rising it does not help young people to buy houses locally.

The Development Management Manager said that the information presented by the developer as part of the viability assessment and Red Book Valuation, it is not considered that a substantial profit will be made from the development at Llanfachraeth. It is accepted that there are 14 individuals awaiting affordable housing on the Tai Teg list in Llanfachraeth but it is not a duty on this developer to address the housing issues across Anglesey. Current planning policies requirements of 20%

affordable provision is acceptable in Llanfachraeth and the developer is conforming to the requirement.

Councillor Ken Taylor proposed that the application be approved in accordance with the Officer's recommendation and was seconded by Councillor Geraint Bebb.

Councillor Jeff Evans proposed that the application be refused contrary to the Officer's recommendation and was seconded by Councillor Jackie Lewis.

In the subsequent vote, the proposal to approve the application was carried by 4 votes to 2.

Councillor Robin Williams abstained from voting as he has left the meeting during discussion on this application.

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

7.3 FPL/2021/159 – Full application for the erection of 50 residential dwellings, 12 residential apartments, construction of a new vehicular access and road, construction of a foul water pumping station together with soft and hard landscaping on land adjacent to Maes Derwydd Estate, Llangefni

The application was presented to the Planning and Orders Committee at the request of two Local Members. At the meeting held on 7 September, 2022 the Committee resolved that a virtual site visit be undertaken. The virtual site visit subsequently took place on 21 September, 2022.

Public Speaker

Mrs Sandra Sawicz, **objecting to the application**, said that she was representing the residents of Ty Hen and Maes Derwydd at the meeting. She noted that there is insufficient parking within the Ty Hen estate already for resident's vehicles and they are having to park on the pavements and on the side of the road. There is no safe play area on the Ty Hen estate for children to play and there are tractors going through the estate to the farmland at the back of the estate; this is the only access point to the farmland. Mrs Sawicz further said that only 6 of the dwellings are to be affordable and she asked who is going to be able to afford the other proposed dwellings and it will attract people from outside of Anglesey to buy these houses and will have an effect on the Welsh language. She referred that the trees that will need to be felled will affect the wildlife on the fields that are to be developed.

The Legal Services Manager read out a statement by Mr D Fitzsimon, agent for the developer who was unable to attend the meeting. The statement was read out as follows :-

This is an application for the construction of 62 properties, 50 houses and 12 apartments. The site comprises of 2.8 hectares of undeveloped land. It borders Tŷ Hen and Maes Derwydd to the north and the playing fields of Ysgol Gyfun Llangefni to the east, with open fields to the west. The site has been allocated for residential development within the Gwynedd and Anglesey Joint Local Development Plan. This means that a principle has been established for residential development in the area and the Inspector appointed to examine the Local Development Plan is also in agreement. The site is in a convenient and sustainable location within the Urban Service Centre of Llangefni. There is a wide variety of public transport on offer, along

with a variety of shops and public and commercial services. The design includes a wide range of attractive buildings, with houses and apartments sited neatly and effectively to have a positive response on the character and appearance of the local area: six one bedroomed apartments; six two-bedroomed apartments; six two-bedroomed houses; 23 three bedroomed houses; 15 four bedroomed houses and six five bedroomed houses. The buildings will be arranged around an internal road system that will run in parallel with the boundary with each house offering a generous private space. It has been ensured that there will be adequate space between the buildings and the existing houses at Tŷ Hen and Maes Derwydd, to provide an acceptable level of security and a high standard of living for existing as well as future residents. The homes with more than one bedroom will have at least 3 parking spaces, whilst the one bedroom homes will have a private parking space, as well as a parking area for visitors. There will be one point of access located to the south of the Tŷ Hen entrance. A highways assessment has been completed and confirms that the access is safe and satisfactory posing no undue risks to drivers and residents. The Council's Highways Officer is happy with the proposal in terms of access and parking arrangements. A public open space will be provided for future residents at the centre of the development. This will provide attractive feature with elements of nature conservation. A proportion of the buildings on offer will provide affordable housing in line with Council requirements. This will safeguard the planning obligation in perpetuity. The ecological survey supporting this application indicates that the development will not harm biodiversity and ecological elements. The design will improve the landscape and provide an ecological development. The main water pipe is currently located along the front of the site. No development will take place within the water protection zone and this can be secured through a planning condition if necessary. The Welsh Language Statement supports the applications and believes that the development will have a positive effect on the Welsh Language and Welsh Culture. There will be economic benefits during the construction phase and in the long term. It is likely to have a positive impact on the town, with residents spending time and money locally. The construction company is a Welsh company and all employees are Welsh speakers and from Anglesey. The company employ local residents and offer work to other local companies. In conclusion, the site has been designated for housing, and the residential development is acceptable in principle. The development team has worked closely with the Council's Planning Officers to ensure the site is developed in an effective, attractive and efficient manner, offering a range of affordable homes, as well as protecting the existing residents of the area.

Councillor Nicola Roberts, a Local Member said that she had received numerous concerns by local residents with regards to this development with many wishing to see the site be retained as green fields and others wishing to see the site being for affordable housing for local residents. She enquired if the 6 affordable element of the development complies with relevant planning policies due to the size of the development and as to which of the dwellings are to be affordable and whether they address local need? She further ask as to the target levels for development of houses in Llangefni within the Joint Local Development Plan as there are large development of houses currently been built and have had planning approval in Llangefni. Councillor Roberts said that there is a lack of playing areas in this vicinity and she questioned whether the playing area attached to this proposal will be sufficient and whom will be responsible for the upkeep once the construction of the development has completed. She ascertained whether a condition or a financial contribution can be afforded as part of any approval of the application for the upkeep of the play area as it can fall on the Town Council or the County Council to maintain the play areas thereafter. She further said that she was concerned that there was no Welsh Language Statement required

as part of the application as it will be an open market development. Councillor Roberts also questioned whether LED lighting will be used as street lighting and whether measures will be put in place that the lighting will not affect the other neighbouring estates. Councillor Nicola Roberts further expressed deep concern that the local Health Board had not responded to the consultation process as the proposed development will have a strain on the GP and Dentist surgeries in Llangefni. She noted that with all the development already in the town the current health infrastructure will be inadequate to serve residents of Llangefni. She further said that mitigation measures will need to be put in place if the development was to be given planning approval as regards to adequate parking facilities for the construction workers to be on site and not to add to parking problems already occurring at both Ty Hen and Maes Derwydd estates. Other mitigating measures should be as to the start and finish times of construction works to mitigate the effect on neighbouring properties. Conditions should also be imposed on any approval that a time frame for the delivery of building materials to the site as there is a high proportion of children walking to school from this area. She further said that the developer needs to work with the local authority and the Town Council to assure that an appropriate Welsh name on the estate be agreed if the proposed development was approved.

Councillor Geraint Bebb, and a Local Member said that he was disappointed that the developer was not present at the meeting to address concerns raised by local residents and as to whether they intend to choose a Welsh name on the proposed estate. He was also concerned that the Health Boards had not responded to the consultation on the proposal as to the effects such a large development will have on the infrastructure of GP and Dentist surgeries in Llangefni.

The Development Management Manager reported that the application site is located on an allocated site (T17) within the development boundary of Llangefni under the provisions of PCYFF1 and the principle of residential development is therefore acceptable and aligns with policy TAI 1. The Joint Planning Policy Unit have confirmed that at present capacity exists in the settlement and that no Welsh language Statement is required with the planning application. A satisfactory record of how the Welsh language was considered has been provided with the planning application and has been assessed by the Welsh Language Officer. Criterion (3) with Policy PCYFF 2 seeks to ensure that proposals make the most efficient use of land, including achieving densities of a minimum of 30 housing units per hectare for residential development; the size of the proposed development site is approximately 2.38 hectares. The density of this proposal (62 units) on part of the allocation (2.38 hectares) totals 26 units per hectare. Whilst the development fails to comply with Policy PCYFF 2 it is necessary to consider the proposed development includes open space provision, SUDS requirements and to ensure that the proposed dwellings are located at an acceptable distance away from existing residential properties. Policy TAI 8 of the Joint Local Development Plan requires that the mix of housing in a development are appropriate and align with the need of the area. The Housing Department has stated that the housing mix is appropriate and aligns with local needs. He further said that Policy TAI 15 requires that part of the proposed development is provided for affordable housing purposes and in Llangefni this equates to 10% of the overall number of units which equates to 6.2 units. The developer is offering 6 affordable units on the site and a financial contribution of £16,666 will be required towards affordable housing in the vicinity. The Development Management Manager further reported that the Highways Authority has confirmed that the site layout is satisfactory and each dwelling complies with car parking standards. There is a good estate road and a footway is proposed

from the development site which links to the existing footway in front of Ty Hen estate. The application site is also within walking distance of the public rights of way at Maes Derwydd which runs parallel with Ysgol Gyfun Llangefni and Canolfan y Bont. Access to the site is via the B4422 and a 70m x 2.4m visibility splay provided in each direction and sufficient parking spaces has been provided for each of the dwellings. The Highways Authority is satisfied with the development as it is within walking distance to the local amenities in Llangefni. During the virtual site visit a Local Member raised concerns as regards to the parking along the Ty Hen Road but as it has been noted the proposed development would provide sufficient parking provision on the site and will not add to the parking issues on the neighbouring estates. It was noted that it was not the duty of the developer to resolve existing parking issues should they exist. The Highways Authority have confirmed that they are satisfied with the intention of the development as it meets with the parking standards, the visibility is acceptable and there are conditions noted within the report before commencement of the development. The Development Management Manager further said that Welsh Water are satisfied with the drainage proposals and a SAB report will be required as regards to surface water treatment. He further said that a condition will be imposed to ensure that no work start on the development until soft and hard landscaping has been approved. The distances between nearby properties comply with policy requirements and supplementary guidance which is considered acceptable. The development will create 1000 square metres of informal public open space as part of the proposed development. There is also no requirement for an educational contribution as the new Corn Hir Primary School has the capacity to take the children that is expected from the proposed development. The proposed development is within a sustainable location and is close the local amenities of Llangefni and public transport. The requirement for affordable homes is 10% of the development in Llangefni and the proposal meets the requirements of the planning policy. A condition will be imposed as regards to the street lighting of the estates is noted within the report. He noted that he shared the concerns of the local members as regards to the Health Board not responding to the consultation as regards to the development. He noted that a meeting has been undertaken with the Health Board as regards to this proposal and two attempts has been made thereafter to gain their response as to the effect on the health provision in Llangefni. He further referred that as regards to mitigation measures the developer has afforded a Traffic Management Plan and an Environmental Management Plan (CEMP). Condition (09) within the report refers to mitigation measures as regards to construction works be carried out between specific hours on the site.

Councillor Robin Williams reiterated the concerns of the local members that the Health Board had not responded to the consultation process as there are problems as regards to the medical services in Llangefni with one dental surgery closed at present. He said that comments have been received during the consultation on the proposed development by the North Wales Fire Service with regard to the road width, surface of the road and water supply. He ascertained whether the access will be widened to the development site. The Development Management Manager responded that a condition is imposed as regards to the access to the site. Councillor Williams expressed that it was concerning that no educational contribution was required as part of this proposed development as there will be over 60 houses on the site. The Development Management Manager responded that a formula is used by the education service to look at capacity of local schools and if such a development exceeds the capacity within schools it is then that a financial contribution is requested towards education provisions. As there will be a new Corn Hir School, which is currently being developed, there will be capacity within that school for education provision for children that are likely to be living in the dwellings.

Councillor Robin Williams further said that Policy TAI 15 requires that part of the proposed development is provided for affordable housing purposes and in Llangefni this equates to 10% of the overall number of units which equates to 6.2 units. The developer is offering 6 affordable units on the site and a financial contribution of £16,666 will be required towards affordable housing in the vicinity. He considered that this sum is totally inadequate and the developer will be able to achieve substantial profit from the sale of these dwellings. The Development Management Manager responded that the Housing Department has a formula as regards to how it would cost to build the houses rather their market value. He noted that a Briefing Session for Elected Members is to be arranged to discuss Affordable Housing provisions.

Councillor Robin Williams said that the land has been identified for the development of houses within the Joint Local Development Plan and he accepted that there are local concerns as regards to the proposal, however, it does comply with planning policies. Councillor Williams proposed that the application be approved. Councillor Ken Taylor seconded the proposal of approval.

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

7.4 FPL/2022/14 – Full application for the demolition of the existing dwelling and garage together and erection of new dwelling together with alterations to the vehicular access at Green Bank, Bull Bay Road, Bull Bay, Amlwch

The application was presented to the Planning and Orders Committee at the request of a Local Member. At the meeting held on 7 September, 2022 the Committee resolved that a virtual site visit be undertaken. The virtual site visit subsequently took place on 21 September, 2022.

Public Speaker

Mrs Wendy Steele, **objecting to the application**, said that the dwelling next door to their property is currently a 2 bedroomed bungalow which has been left to deteriorate for more than two years by the current owner. The applicant states that the building is now in such a bad state of repair that it needs to be demolished. She said that she would argue that the building is in such a bad state because the owner has deliberately left the bungalow to get into that state for more than two years because he wanted to build a larger property in its place. To go from a 2 bedroom bungalow to a 6 bedroomed house (the application states that it will be a dormer bungalow) which is in our opinion a devious way of making the property sound like it will only be as high as the current bungalow. We also note that the applicant has re-submitted their plans and are now calling it a 4 bedroomed property when all they have done is rename the two downstairs bedrooms as a snug and family room which will no doubt revert back to 6 bedrooms once the building is complete. So not only do we object to what they want

to build, we also object the fact that they think the objectors and dare I say, the council, are not of a high enough IQ to not notice what they plan to do. Bull Bay is rapidly becoming another Rhosneigr and Trearddur Bay, in that in the winter months it is becoming a ghost town. The owner has never made himself known to us, but my husband did speak to whom he believed to be the owner and asked him if he was planning to live here. When the owner stopped stuttering, his reply was "maybe when the children leave school " and this is why we feel we are correct in our thinking that it will be a holiday let. Ashley Peters of Tarporley in Cheshire was named as the applicant in the first planning application with the name Gladstone Investments only mentioned once in one of the reports that accompanied the application. My question to the council is, is the planning application with the same reference number allowed to have two different names as the applicant? As this is of some concern to us and we wonder whether this is indeed allowed. Gladstone Investments does not appear to have a web site, which is unusual in this day and age, but on Companies House they state they 'buy and sell real estate' again it would appear that they will either flip this property or use it themselves as a holiday let. Unfortunately we do not believe that this house will become somebodys home. Gladstone Investments is also registered as being a company in Essex and the three directors all have the surname, Keys. Again this seems to increase the chance that this will be another holiday let. Whether this property becomes a 4 or a 6 bed house there will be the potential of there being 6 cars on the drive. We have to be really careful when exiting our drive as it is on a bend, and for this reason we keep our hedges etc cut quite low so that we can see to the left and the right. The position of the bend on Greenbanks property is horrendous. We all know that when people are in holiday mode common sense is often not at the forefront of their minds and it is without doubt an accident waiting to happen if people do not take extra care and attention when leaving that property. The people who live in Bull Bay are averaging from the age of approximately 40 upwards and to live next door to a house that has the potential to have 20 year olds or younger, or indeed any number of any age, will severely affect our right to enjoy a quiet and peaceful life, as stated in Art 8 Human Rights Act. One of the new holiday lets at the top of the hill, and only opened a couple of months ago, has already had the police called at least once because of the noise and drunken antics of the holiday makers. The Leafy Lane guest house has recently been sold and turned into a massive AirBnB holiday let, and The Anchorage next door has also just gone up for sale so the potential is also there for another huge holiday let. It has also been noticed that the new Bull Bay Hotel plans have been submitted and they are again 9 holiday lets flats and 3 detached houses.

Ms Sioned Edwards, **in support of the application**, said that the application is to demolish an existing house and to build a replacement new house in its place. The property will be a residential home and will not be a holiday let, this is not the application submitted. The applicant and his wife have been born and bred in North Wales and they moved away due to work commitments and they are looking to moving back to North Wales. The site is located within the cluster of Bull Bay and the application has been called into committee by the local Councillor based on concerns regarding the design of the house and overdevelopment of the site. It is acknowledged that the new house would be of modern design but it must be noted that there is no particular style or specific design in this area of Bull Bay. There are two houses of modern design with windows located in the front gable of the houses and who also have balconies which are located close to the site as you drive down towards the water (towards the location before the Bull Bay hotel). The current house is of no specific design, it has UPVC conservatory which dominates the front of the house. The standard of design of the current house is poor and of a low standard. It is considered that the proposed design would be of a much higher standard and would provide a

house which is much more sustainable. The Local Member Councillor has expressed concerns of overdevelopment. The current house and garage have been developed across the whole of the plot. There will be more room between the proposed dwellings and the plot boundaries either side. Changes have been made to the plans to ensure that no parts of the house are closer to the plot boundaries than the houses either side to comply with the relevant SPG. The height of the house would not dominate the site and it would correspond to the change in the land levels between 'The Greek' to the East and 'Hafan Clyd' to the West. The recommendation from the Officers and as agents, have worked closely with the Officers to ensure that the development is acceptable.

The Development Management Manager reported that the Committee will be familiar with the local concerns that has been outlined in the report and following the site visit held on 21 September. The Case Officer has also responded to the concerns as regards to the development in the report. The Development Management Manager said that the most relevant development plan policy to assess the application is policy TAI 13; Replacement Dwellings – together with other more general policies relating to design and place shaping. Policy TAI 13 states that proposals for replacement of a dwelling that meet the criteria listed in the report will be granted. Criteria 1, 4, 5 and 7 are not relevant as the application site is within the cluster of Bull Bay, however it is considered that it satisfies other criteria – 2 as it is not a Listed Building, 3 – it is not considered that the current dwelling has any architectural value, historic or visual value; 6 – the dwelling be on the same footprint as the original dwelling; 8 – the application site is not within a C2 Flood area. He further said that the existing dwelling is a single storey cottage with a pitched roof, a conservatory is located on the front elevation and a small pitched roof garage is located to the east of the existing dwelling. The proposal is to replace the existing dwelling and garage with a larger and modern two storey dwelling. The existing dwelling has a floor area of approximately 105 square metres. There are no particular style of dwellings in the immediate area, the properties in the immediate area range from single storey and dormer dwellings. The floor area of the replacement dwelling will be a total of 308 square metres and as was shown in the site visit, will be no higher than the neighbouring property 'The Creek' to the east and approximately 1m higher than 'Hafan Glyd' to the west. The existing dwelling is smaller than the majority of properties in the area and the replacement dwelling will fit comfortably within the site without harming existing residential properties. It is considered that the proposal will complement and enhance the character and appearance of the site in terms of appearance and the use of high quality materials meets the policy requirements PCYFF 3. It is accepted that this is a modern design, but the scale, massing and elevation treatment will integrate into the surroundings and improve the appearance of the site. The application includes a total of 3 bird boxes on the side elevations and 2 bat boxes on the rear elevation together with the planting of native vegetated areas to the front of the site and additional native vegetated areas to the east boundary. The Highways Authority has confirmed that they have no objection to the proposal as the current vehicular access is being improved and widened but a Traffic Management Plan will need to be submitted prior to work commencing on the site. The planning application has been amended to ensure that the amenities of adjacent residential properties will not be affected and the dwelling has been moved back within the plot and the side screens of the balcony will be 1.8m high and obscured glass. The Development Management Manager further reported that it is not considered that the proposal will have a negative impact. He further said that in response to the objector to the proposal her own property is listed as an Air BnB and there are many reviews as regards to that property. This application is for a new dwelling and not for holiday units; the property will be 1m

higher than Hafan Glyd and will be further away from the boundary than the existing dwelling and is more or less on the same footprint even though it is an application for a two storey dwelling.

Councillor Aled M Jones, a Local Member, said that the concerns as regards to this application is that there will be a two storey dwelling replacing a single storey dwelling. The proposed dwelling will be higher than neighbouring dwellings either side. He referred that in viewing the submitted plans for the development it is possible to split the building into two separate dwellings. He further referred to road safety, and noted that the development site is located on the corner of the highway from Amlwch to Holyhead. If this proposal is approved it has a potential for 6 cars to use this site which increase traffic concerns.

The Development Management Manager said that the design of the proposed property will be 1m higher than Hafan Glyd and is no higher than The Creek to the other side. It is considered that the development would not be significantly higher than neighbouring properties to justify refusing the application. In terms of design the property seems to be of a double aspect building but the application before the Committee is for a single dwelling, however, if the developer wishes to convert the property into two dwellings, a further planning application would need to be submitted. He further said that having looked at the floor plans of the dwelling, it would not be easy to separate the building as the Local Member has suggested. The current access is to be improved and there will be parking for 4 vehicles as the dwelling has 4 bedrooms and the proposal meets the parking requirements.

Councillor Ken Taylor said that planning policies need to be adhered to and there is no reasons to object this application. Councillor Taylor proposed that the application be approved. Councillor Geraint Bebb seconded the proposal of approval.

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

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

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

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 TPO/2022/16 – Application for works to 6 trees protected by a Tree Preservation Order at land between the reservoir and 30 Ty Mawr Estate, Menai Bridge

The application was presented to the Planning and Orders Committee as the site is owned by the Local Authority.

The Development Management Manager reported that the application refers to works to 6 trees which are subject to a Tree Preservation Order titled 'Old Reservoir' Menai Bridge made in 1988. The trees are situated on land which is part of the northern embankment of the reservoir, located off the Pentraeth road in Menai Bridge. The trees have recently been surveyed for reasons of ash dieback and six trees are proposed for felling due to their condition and their location near the footpath along the highway used by the public and children walking to Ysgol David Hughes.

Councillor Robin Williams proposed that the application be approved. Councillor Ken Taylor seconded the proposal of approval.

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

12.2 VAR/2022/48 – Application under Section 73 for the variation of Condition (04) of planning permission reference 45C260B (Full application for change of use of the existing building from A1 (retail) to mixed use A1 and A3 (retail and food and drink) so as to change the existing opening hours at Madryn House, Pen Dref Street, Newborough

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

Public Speaker

Ms Sue Madine, **in support of the application**, said that along with Diane Broad she owns and runs Caffi Wiwer Goch & Oriel Nyth y Wiwer in Newborough. She noted that a 3-minute slot today feels wholly inadequate to respond to objections to the application and to put the case to protect jobs and the future of the business. Planning deem that the cafe opening into the evening will have a detrimental effect on neighbouring residents. This is the only business out of 5 on the square who has to shut at 5pm. Since opening in 2014, the business has provided jobs for 25 mainly Welsh speaking local people; it currently employs 5, with hundreds of thousands of pounds generated into the local economy. The cafe supports or is serviced by 8 Anglesey businesses. The gallery is an outlet for 12 independent Anglesey artisans. Most of the objections raised are conjecture, opinion, false & lack any true evidence. After years of complaints against the cafe, council records confirm that despite numerous council visits and literally hundreds of noise applications submissions by our closest neighbour, no statutory nuisance has ever been found. No enforcement has ever been taken. The current working and kitchen practices have further cut down on noise and odours. It is untrue that customers are told to park across peoples driveways. Anyone present in Newborough in the summer as the traffic leaves the beach will know the chaos caused by people parking illegally, especially to use the chippy, people waiting for a takeaways are far more likely to do this than people who go for a 'sit-in' meal; many customers will walk to the cafe in the evenings. Traffic and parking is for authorities to deal with in a manner which is fair and equitable to all businesses and residents in the village, giving equal

opportunity, and not to penalise 1 business because of what has been allowed to evolve. A compromise to planning to stop our kitchen at 9pm, stop serving alcohol at 9.30pm and close at 10pm. Planning already knew that the premises licence does not permit customers to sit outside after 9pm. Still this has been rejected. Disappointingly, planning will not guide us as to what would be 'acceptable'. How can the cafe opening in the evenings be anymore detrimental than the impact of the pub which adjoins 2 residential properties and has a beer garden to the rear? How is it fair & equitable to reject our application when the cafe will close earlier, hold fewer people, have no juke box, karaoke or live music? We play low level background music. The cafe opening into the evenings, will only add to the community and the life of the village. It will create jobs and offer another option, it is not a pub or a nightclub, it is a cafe, where people come primarily to eat. Our sales of alcohol currently make up just 3% of item sales. We are not in direct competition with any of the other village businesses, all of whom open into the evening. It will simply offer an alternative evening dine-in option. Almost 4 months on since approaching planning, we now ask the committee to give us the same leeway and consideration as the other businesses in the village. In these times where insolvencies of small hospitality businesses are up by 60% we ask that you treat this application with fairness, equity, foresight and in line with Anglesey's Transitional Plan 2022-2023 i.e. to support businesses. We hope that the committee have seen the numerous expressions of support for our application which have been sent to our council members and planning. We also ask that the committee make a decision which does not necessitate further applications, delay and costs.

The Development Management Manager reported that the application site is a corner building situated on a crossroads in the centre of the settlement of Newborough. The building was previously used as a Class A1 building (post office) and was granted planning permission in January 2017 for a mixed use development comprising of A1 and A3 to be used as a café/hot food takeaway retailer. Condition (04) of the permission restricted the opening hours of the premises to 9.00 a.m. – 5.00 p.m. (Monday to Saturday and 10.00 a.m. to 4.00 p.m. on Sundays). The application is now to extend the opening hours from 8.00 a.m. – 11.00 p.m. for 7 days a week. The applications main issues therefore is whether extending the opening hours will have a detrimental impact on the amenities of neighbouring properties. The immediate neighbouring property, located on Chapel Street is a Fish and Chips Shop which is open until 8.30 p.m., in the summer and 7.30 p.m., in the winter and a convenience store is situated on the opposite corner of Chapel Street/Pendref Street is open until 9.00 p.m. There is also a Public House which is located directly opposite the Premier Store. He further noted that the property utilises the external area to provide external seating area for customers. The recommendation is to refuse the application as the increase in the hours of opening of the premises until 11.00 p.m., 7 days a week in this location will have a high potential to result in increased noise levels to the immediate neighbourhood. The proposal would by reason of noise with the late night opening with customers socializing and the comings and goings of customers would inevitably result in noise and disturbance.

Councillor Robin Williams said that he did not understand the recommendation of refusal of this application to the extended hours of this Café in Newborough as the Public House is nearly directly opposite the café and is open until 11.00 p.m., and could potentially open 24 hours a day. He considered that extending the hours of the café would not effect on the amenities of nearby properties.

Councillor Jackie Lewis said that she is also unsure as to why the recommendation is of refusal of this application as the customers in the Public House will be sitting

outside in the beer garden to drink, smoke and listen to live music. She noted that the café serves food and alcohol.

The Development Management Manager said that the neighbouring properties are used to the Public House being open in the village of Newborough. However, if the properties next door to the Wiwer Goch, Café are used to the café closing at 5.00 p.m., and extending the hours of opening until 11.00 p.m., will have an effect on the amenities of the neighbouring properties.

The Legal Services Manager said that a compromise is that extending the opening hours of the café could be for a trial period of 2 years. Any noise nuisance reported from the site could be monitored and reported back through the statutory noise nuisance procedure. At the end of the trial period a view could be formed as to whether the extended opening hours should be made permanent or be refused.

Councillor Robing Williams proposed that the application be approved contrary to the Officer's recommendation and that the cafe be allowed to open from 9.00 a.m., to 10.00 p.m., seven days a week, for a trial period of 2 years. Councillor Ken Taylor seconded the proposal of approval of the application.

It was RESOLVED:-

- **to approve the application contrary to the Officer's recommendation on the basis that the Committee considered that the proposal would not cause unacceptably detrimental effects on the residential amenities of nearby occupiers as other commercial properties are located in the immediate locality;**
- **that the premises be allowed to open from 9.00 a.m. to 10.00 p.m., seven days a week, for a trial period of 2 years.**

(In accordance with the requirements of the Constitution the application was automatically deferred to the next meeting to allow the Officers to respond to the reason given for approving the application).

12.3 FPL/2022/134 – Full application for conversion of the outbuilding into a 2 bedroom holiday let at Tithe Barn, Henblas, Llangristiolus

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

The Development Management Manager reported that the application was presented to the Committee as the request of a Local Member, Councillor Nicola Roberts due to concerns regarding the impact of holiday homes on the Island and also stated the scheme warranted closer scrutiny due to the historic and local importance of the building. The site is located in the open countryside of the Llangristiolus area, with access to the site afforded via a private lane which also serves as means of access for a farm and the Henblas wedding facility. Special Landscape Areas designation is given to the area and forms part of the Maltraeth Marsh and Surrounds designation. The site includes the recently converted Tithe Barn together with its associated garden and drive area. The Tithe Barn is a Listed Building and therefore by virtue being within the curtilage of a Listed Building, the structure subject to this application is also a Listed structure. The structure is in a poor state of condition and does not include a roof or any windows/doors. Historically, the building was used as a cottage and benefits from an extant permission to convert it into a garage under application VAR/2020/15. The

application is made to convert the derelict structure into a two bed holiday unit together with alterations and extensions thereto. The proposal seeks to retain the ruinous structure by utilising it as a cladding of sort, with a new structure erected within the walls to form the holiday unit. The existing structure will house the two bedrooms, whilst the extension will provide space for an open plan living area together with plant and store rooms. The design of the proposal is considered acceptable by the local authority Heritage Officer and it is not considered that it will have a detrimental effect on Tithe Barn. He further said that whilst the scheme does not effectively conform with policy TWR 2, it is considered that holiday use is the most acceptable use in line with enabling development and other policies of the Joint Local Development Plan. The structure does have extant planning permission for use as a garage, however it is considered that holiday accommodation is a more sympathetic use to the historic use of the structure as a cottage. This view is also shared by the Council for British Archaeology, who made the following comments on the accompanying Listed Building Consent application *‘the domestic use is more sympathetic to the site’s heritage than converting the ruin into a garage and store.’* The Development Management Manager further said that the scheme does not conform with the relevant holiday accommodation policy of the Joint Local Development Plan, however in line with policy AT 2, it is considered that the scheme is acceptable on planning balance as it will secure the future use of the structure and retention of the historic asset.

Councillor Robin Williams, on behalf of Councillor Nicola Roberts, who had to leave the meeting, said that Councillor Roberts had called-in the application for consideration by the Committee but following receiving the Officer’s report, she was in favour of the recommendation of approval of the application.

Councillor Robin Williams proposed that the application be approved. Councillor Geraint Bebb seconded the proposal of approval.

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

12.4 DIS/2022/62 – Application to discharge condition (02a) (Archaeological), (07) (Biosecurity Risk Assessment) and (17) (Construction Management Plan) of planning permission FPL/2021/361 (erection of a new foundation phase and child care unit) and MAO/2022/16 (Minor amendments) on land adjacent to Ysgol y Graig, Llangefni

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

The Development Management Manager reported that planning permission was granted under planning application FPL/2021/361 for the erection of a new foundation phase and child care unit on land near Ysgol y Graig, Llangefni. A minor amendment application was later submitted MAO/2022/16 to make slight changes to the wording of some of the original conditions. Condition (02)(a) of planning application FPL/2021/361 requested the applicant to provide a specification for a programme of archaeological work for the site. A Written Scheme of Investigation for Archaeological Mitigation has been received from the applicant and Gwynedd Archaeological Planning Service has confirmed that they are satisfied with the information and confirmed that condition (02)(a) can be discharged.

Councillor Robin Williams proposed that the application be approved. Councillor Ken Taylor seconded the proposal of approval.

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

12.5 VAR/2021/65 – Application under Section 73 for the variation of conditions 13 and 14 of planning permission reference 47C74, erection of 34 wind turbines which shall measure 53 metres in total height with the construction of access tracks and ancillary developments to include transformers, a sub-station and three anemometer masts on land to the North of Llyn Alaw so as to extend the operational phase until 22/10/32, extend the decommissioning period to 12 months and clarification regarding the period wind turbines shall be decommissioned if it fails to produce continuous electricity at Llyn Alaw Windfarm, Llanbabo

The application was presented to the Planning and Orders Committee as the application is accompanied by an addendum to an Environmental Impact Assessment and needs to be referred to the Planning and Orders Committee for determination in accordance with paragraph 3.5.3.5(ii) of the Constitution.

The Development Management Manager reported that the application seeks to vary condition 13 to allow the operational phase of the turbines for a further period of 10 years up to 22.10.2032. Subsequently, the application also seeks to vary condition 14 to extend the period where the wind farm needs to be decommissioned (except for the substation) as well as extend the period where a turbine needs to be dismantled if it not producing electricity to the local grid. A community benefit fund was in place as part of the original application. The fund totalled over £42,000 per annum (£2,062 per MW index linked). As part of the current proposal the applicant seeks to increase the community benefit to £3,000 per MW from when the current consent expires. The money is dispersed between Tref Alaw, Llannerchymedd and Mechell Community Councils who will then be responsible for administering the funds as per the existing agreement.

Councillor Ken Taylor proposed that the application be approved. Councillor Geraint Bebb seconded the proposal of approval.

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

12.6 HHP/2022/46 – Full application for demolition, alterations and extensions at Tan yr Allt Bach, Llanddona

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

Councillor Alun Roberts, a Local Member requested that the application site be visited due to local concerns.

Councillor Ken Taylor proposed that a site visit be undertaken and Councillor Robin Williams seconded the proposal.

It was RESOLVED to conduct a virtual site visit in accordance with the Local Members' request for the reasons given.

12.7 HHP/2022/219 – Full application for alterations and extensions at 7 Tre Gof, Llanddaniel

The application was presented to the Planning and Orders Committee as the County Council are the applicant and the landowner.

The Development Management Manager reported that the application presented is for the erection of a single storey rear extension to the dwelling. The application site is a two storey semi-detached property, located in the Tre Gof estate within the development boundary of Llanddaniel as defined by the Joint Local Development Plan. The proposal is considered and it is not considered that it will have a negative impact upon the privacy and amenities of neighbouring properties. An existing two-metre high timber fence along the side and rear boundaries of the property will ensure that no issues of overlooking will arise from the proposed extension.

Councillor Robin Williams proposed that the application be approved. Councillor T LI Hughes MBE seconded the proposal of approval.

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

12.8 HHP/2022/171 – Full application for alterations and extensions with Juliet balconies at Awel y Bryn, Trigfa, Moelfre

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

Councillor Ieuan Williams, a Local Member requested that the application site be visited as local residents have concerns that it would be over-development of the site.

Councillor Robin Williams proposed that a site visit be undertaken and Councillor Ken Taylor seconded the proposal.

It was RESOLVED to conduct a virtual site visit in accordance with the Local Members' request for the reasons given.

12.9 FPL/2022/216 – Full application for an extension to the curtilage at Glanllyn, Llanedwen, Llanfairpwll

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

The Development Management Manager reported that the proposal involves the extension to the residential curtilage of the property. The property is a semi-detached farmhouse, located in an open countryside location in Llanedwen. The proposal involves extending the residential curtilage of Glanllyn into the agricultural land to the north-west, and behind the rear garden of Porth Amel. The extended part of the curtilage will measure approximately 451m², bringing the residential curtilage of Glanllyn to a total of 530m². The proposal site falls within the AONB but it is considered that the small scale nature of the proposal will integrate well into its surrounding landscape.

Councillor Ken Taylor proposed that the application be approved. Councillor Robin Williams seconded the proposal of approval.

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

12.10 FPL/2022/198 – Full application for the installation of 2 no. 470kW Air Source Heat Pumps and a plant room house housing 2 no. Water Source Heat Pumps together with associated development at the Isle of Anglesey County Council, Council Office, Llangefni

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

The Development Management Manager reported that the proposal involves the provision of a GRP enclosure measuring 8.3m x 5.3m x 3m for the housing of 2 water source heat pumps together with the provision of 2 air source heat pumps mounted on a modular steel frame some 0.7m above the ground level. The enclosures have been designed to the minimum standards whilst also ensuring sufficient and minimal access around the air source heat pump and plant room is maintained and allows for suitable workspace and access around the units. The proposed units are positioned to the rear of the existing Council building and are well screened by existing topography and vegetation. The application is accompanied by a Noise Impact Assessment. The assessment has considered the potential for noise impacts from the installation and it has shown that mitigation is required to meet the local authority EH criteria and acoustic enclosures for the air source units, with minimum sound reduction value of 22dB have been recommended. He further said that the application is also accompanied by a Biodiversity Enhancement Plan which proposes the provision of 2 bat boxes, 2 bird boxes and the expansion of the wildflower meadow to compensate for the loss of habitat features that will result from the development. The Ecological Adviser has been consulted on the proposals and is satisfied that the biodiversity enhancements proposed are appropriate with regards to relevant policies.

Councillor Ken Taylor proposed that the application be approved. Councillor Robin Williams seconded the proposal of approval.

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

13 OTHER MATTERS

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

**COUNCILLOR NEVILLE EVANS
CHAIR**