

Planning and Orders Committee

Minutes of the meeting held on 11 May 2016

- PRESENT:** Councillor William Thomas Hughes (Chair)
- Councillors Lewis Davies, K P Hughes, Vaughan Hughes, Victor Hughes, Richard Owain Jones, Raymond Jones, Jeffrey M.Evans and Nicola Roberts.
- IN ATTENDANCE:** Planning Development Manager,
Planning Assistants,
Highways Officer (JAR),
Development Control Engineer (Major Projects) (GG),
Committee Officer (MEH).
- APOLOGIES:** Councillors Ann Griffith and John Griffith.
- ALSO PRESENT:** Local Members : Councillors Jim Evans, Alun Mummery and R. Meirion Jones (applications 7.2 & 10.2); Councillor Bob Parry OBE (application 7.1).
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The Chair said that the Vice-Chair, Councillor Ann Griffith had apologised for her absence at this meeting due to illness. It was agreed that a Vice-Chair be appointed for this meeting. Councillor T.V. Hughes was elected Vice-Chair for the meeting.

1 APOLOGIES

Apologies as noted above.

2 DECLARATION OF INTEREST

Declarations of interest were made as follows :-

Councillor Lewis Davies declared an interest with regard to application 6.1 on the basis of the reference made to wind turbines in the Plaid Cymru Manifesto. He also declared a personal and prejudicial interest with regard to application 12.1.

Councillor Nicola Roberts declared an interest with regard to application 6.1 on the basis of the reference made to wind turbines in the Plaid Cymru Manifesto. She also declared a personal interest with regard to application 12.2.

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

Councillor T. Victor Hughes declared a personal interest with regard to application 12.4. He also declared a personal and prejudicial interest with regard to application 12.2.

Councillor Vaughan Hughes declared an interest with regard to application 6.1 on the basis of the reference made to wind turbines in the Plaid Cymru Manifesto.

3 MINUTES

The minutes of the previous meeting of the Planning and Orders Committee held on 6 April, 2016 were presented and confirmed as correct.

4 SITE VISITS

The minutes of the Site Visits held on 20 April, 2016 were submitted and confirmed as correct.

5 PUBLIC SPEAKING

The Chair announced there would be Public Speakers in respect of applications 10.1, 10.3 and 12.2.

6 APPLICATIONS THAT WILL BE DEFERRED

6.1 20C102L/EIA/RE – Full application for the erection of 13 wind turbines comprising of 9, 900kW wind turbines with a maximum hub height of up to 55m, rotor diameter of up to 52m, and a maximum upright vertical tip height of up to 79m, and 4, 900kW wind turbines with a maximum hub height of up to 45m, rotor diameter of up to 52m, and a maximum upright vertical tip height of up to 70m, together with the creation of crane pads, foundations, underground electricity cables, improvements to parts of the existing track, works to the highway, the creation of new access tracks, an extension to the existing track, works to the highway, the creation of new access tracks, an extension to the existing 33kV substation, the erection of a new 11kV substation, the erection of an anemometer and temporary construction and storage compounds and batching plant (which would also entail the de-commissioning of the existing wind farm) at Rhyd y Groes Wind Farm, Rhosgoch

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

The Planning Development Manager reported that the site visit scheduled for 16 March, 2016 was deferred at the request of the applicant pending the outcome of discussions with Natural Resources Wales to agree possible measures aimed at mitigating impacts on the nearby Area of Outstanding Beauty. The discussions are ongoing and it is considered that the material

changes to the application could entail. It was recommended that the application be deferred.

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

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

The Planning Development Manager reported that negotiations are still ongoing with the Welsh Government regarding highway issues in respect of this application. It was considered that the application should be deferred as the outcome of discussions may influence the recommendation of the Local Planning Authority.

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

7 APPLICATIONS ARISING

7.1 16C202 – Full application for change of use of chapel into two dwellings which include a balcony at Capel Salem, Bryngwran

The application is presented to the Planning and Orders Committee at the request of a Local Member. At the meeting held on 6 April, 2016 the Committee resolved to visit the site which was subsequently undertaken on 20 April, 2016.

Councillor Bob Parry OBE as a Local Member referred to the reasons he had requested the Committee to visit the site and in particular to the availability of parking spaces on the site. He questioned whether the highways authority was satisfied with the parking spaces available on the site. The Highways Officer responded that 2 parking bays are sufficient for the site which complies with the Authority's Parking Standards as there is no parking facility on the site at present. Councillor Parry stated that whilst he appreciated that the former chapel needs to be developed, he was of the opinion that conditions need to be applied for the safety of children who use the footpath which runs along the side of the application site and the vehicular access. He further stated that the railings in front of the former chapel should be retained due to difference in land levels with the County Council's land and the chapel. This would safeguard any children who walk to school or members of the public from slipping whilst walking near the site.

Councillor Parry said that a further condition needs to be imposed on any approval of the application with regard to the wooden posts on the parcel of land alongside the graveyard near the application site. The wooden posts need to be reinstated to deter the parking of cars on the land. This parcel of

land would allow children coming from the school to have better visibility in crossing the road.

Councillor Jeff Evans asked the Local Member that he was given to understand that a child had been injured on Salem Road in Bryngwran last year but no recorded incident has been logged on the Highways incidents records for over 20 years. Councillor Parry responded that the incident has been recorded on the minutes of the Bryngwran Community Council; a Community Council Member had witnessed the accident when the child was hit by a car. The Highways Officer said that recorded incidents on the Highways database are dependent on accidents being reported to the Police.

Councillor Lewis Davies said that consideration should be given to having 'red markings' on the road warning traffic that children are crossing from the school near the application site.

The Planning Development Manager stated that planning conditions are unable to be enforced on permissions when the land in question is not in the ownership or control of an applicant.

Councillor Lewis Davies proposed that the application be deferred to allow negotiations with the applicant regarding possible planning gain to the community. Councillor Nicola Roberts seconded the proposal.

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

Following the subsequent vote :-

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

7.2 31C210H – Full application for the erection of a dwelling which includes a balcony, erection of a detached garage together with the construction of a vehicular access on land at Graig, Lon Graig, Llanfairpwll

The application is presented to the Planning and Orders Committee at the request of the Vice-Chairperson on behalf of a Local Member. At the meeting held on 6 April, 2016 the Committee resolved to visit the site which was subsequently undertaken on 20 April, 2016.

Councillor R. Meirion Jones, a Local Member said that 57 of the residents of the neighbouring properties have objected to this application. He noted that he would be reporting the objections of the residents of 11 Cil y Graig, Llanfairpwll as follows :-

- Loss of amenity – windows and balcony overlooking neighbouring properties;

- Visual impact –even though the ridge of the proposed dwelling has been reduced the dwelling will still be very prominent when entering the village;
- Highway Safety – the access to the site is considered dangerous;
- Sewerage issues – the plans submitted for the development illustrate that the sewerage will connect to the sewer at Cil y Graig. There is no sewer connection at Cil y Graig and it is considered that the sewer will need to go through private gardens on the estate.

The Planning Development Manager reported that the development of this site is considered acceptable as it lies within the development of Llanfairpwll. He noted that the development complies with the policies with regard to loss of amenity and the distance from neighbouring properties. It is accepted that the dwelling is located on an elevated position in Llanfairpwll but there is a mixture of types of houses in the immediate locality and it is considered that the proposed developed is not contrary to planning policies. The Highways Authority has raised no concerns with the proposal. The Planning Development Officer referred to the issues raised regarding sewer connection and noted that confirmation and plan details has now been received that the sewer will connect to the sewer with the 3 other dwellings near the site which have received planning consent. The recommendation is one of approval.

Councillor Lewis Davies whilst accepting that outline planning permission has been received for a dwelling on the site he was concerned that neighbouring properties will be affected due to the need to excavate the rock face of the development site. He considered that a stringent condition needs to be placed when excavation of the rock face can take place. The Planning Development Manager wished to note that there was outline planning permission on the site for a dwelling but the approval has ceased since 12 April, 2016.

Councillor Nicola Roberts requested that a Traffic Management Plan needs to be submitted with regard to the highways concerns raised by the local residents.

Councillor Jeff Evans proposed that the application be approved subject to additional conditions with regard to rock excavation and traffic management issues. Councillor K.P. Hughes seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation subject to the conditions listed within the report together with an additional conditions regarding rock excavation and traffic management.

8 ECONOMIC APPLICATIONS

None were considered by this meeting.

9 AFFORDABLE HOUSING APPLICATIONS

None were considered by this meeting.

10 DEPARTURE APPLICATIONS

10.1 13C190 – Outline application for the erection of 5 dwellings together with full details of a vehicular access on land adjacent to Sarn Gannu, Bodedern

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

The Chair invited Mr. Rhys Davies a supporter of the application to address the meeting.

Mr. Davies said that the access to the site is afforded through the existing access that serves the residential estate of Llwyn yr Eos which is an adopted road. He noted that one of the 5 dwellings will be an affordable dwelling.

The Planning Development Manager reported that the application is acceptable under the provisions of Policy HP4 of the Stopped Unitary Development Plan and it is considered that the dwellings will not affect the amenities of the neighbouring dwellings nor on the locality. It was considered that it will not have a detrimental impact on highway safety. He stated that the recommendation is of approval subject to the signing of a Section 106 agreement for the provision of one affordable unit.

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

Councillor T.V. Hughes abstained from voting.

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

10.2 31C170D – Full application for the erection of 17 dwellings (12 with 2 bedrooms, 4 with 3 bedrooms and 1 bungalow with 3 bedrooms) together with the construction of a new vehicular and pedestrian access on land adjacent to Hen Lon Dyfnia, Llanfairpwll

The application is reported to the Planning and Orders Committee as the application site is located outside, albeit adjoining the Local Plan development boundary for Llanfairpwll and the application has been advertised as a departure from the Local Plan. Two of the Local Members have requested that the application be determined by the Committee.

Councillor R. Meirion Jones a Local Member said that both himself and Councillor A. Mummery have requested that the site be visited to allow the Committee to view the site and he hoped that the matters raised with the

department will be available by the next meeting of the Planning and Orders Committee. The reasons for the site visit were noted as road safety implications, local residents concerns, drainage and the density and number of dwellings proposed.

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

It was RESOLVED to visit the application site in accordance with the Local Members request for the reasons given.

10.3 35C313A/ENF – Retrospective application for the erection of a replacement dwelling together with the construction of a new access at Carreg Wen, Penmon

The application is reported to the Planning and Orders Committee as it is contrary to the provisions of the adopted Ynys Môn Local Plan and the Stopped Unitary Development Plan but the Local Planning Authority are minded to approve the application.

The Chair invited Mr. Rhys Davies, a supporter of the application to address the meeting.

Mr. Davies said that the application before the Committee is for a replacement dwelling. The application was approved by the Planning and Orders Committee in March 2014 for alterations and extension to the dwelling but during construction it became evident that the foundations of the present dwelling had been built on unstable sand foundations. He noted that the dwelling will not be different in design to the application approved in March 2014.

The Planning Development Manager stated that the Enforcement Section of the Planning Department were informed that the previous dwelling had been almost demolished contrary to that which had been granted planning permission in 2014. However it became apparent that the previous property had been built on inadequate underlying ground conditions and the absence of appropriate foundations.

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

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

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

11.1 36C294A – Full application for the erection of two dwellings together with the construction of a vehicular access on land at Llain Wen, Llangristiolus

The application is reported to the Planning and Orders Committee as the applicant is a close friend of a 'relevant officer' as defined within paragraph 4.6.10.2 of the Constitution. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

Councillor T.V. Hughes as a Local Member stated that this application is an infill application and he was not expressing his objection. However he stated that residents and local Community Council are concerned due to the extent of the development of the village of Llangristiolus. He abstained in the vote.

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

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

12 REMAINDER OF APPLICATIONS

12.1 22C228 – Full application for change of use of building from former primary school to community hall, demolition of part of the existing building together with alterations and extensions at Ysgol Gynradd, Llanddona

Having declared a prejudicial interest in this application, Councillor Lewis Davies withdrew for the meeting for the consideration and determination thereof.

The application is reported to the Planning and Orders Committee as it is on Council owned land.

The Planning Development Manager reported that the Local Members support the application but noted that consultation period for statutory public consultation does not come to an end until 16 May, 2016.

Councillor Jeff Evans proposed that the application be approved and Councillor R.O. Jones seconded the proposal.

It was RESOLVED to approve the application and to grant the Officer's power to act following the statutory public consultation period coming to an end on 16 May, 2016.

12.2 34C694 – Full application for the creation of an urban sports park on land adjoining Plas Arthur Leisure Centre, Llangefni

Having declared a prejudicial interest in this application, Councillor T. Victor Hughes withdrew for the meeting for the consideration and determination thereof.

The application is reported to the Planning and Orders Committee as the development involves Council owned land.

The Chair invited Mr. Peter Davies, a supporter of the application to address the meeting.

Mr. Davies said that the application has received support of the Member of Parliament, Assembly Member and the Isle of Anglesey Charitable Trust has also supported the application in principle with affording grant funding towards the project. The project is to revitalise the community for young people to enjoy and partake in outdoor activities at the Urban Sports Park. The Urban Sports Park Committee has taken over the facility of the previous Skate Park located on this site. Tackling anti-social behaviour, drug and alcohol problem had been a concern to local residents at the former skate park. Mr. Davies said that the Urban Sports Park Officials have been in consultation with regard to these problems with the North Wales Police and it is intended to install a CCTV system on site which can be monitored through various IT technologies.

Councillor Dylan Rees, a Local Member and Chair of the Urban Sports Park stated that he would declare a prejudicial interest and leave the meeting during discussion and voting thereof in respect of this application and after he had spoken as local member. Councillor Rees wished to thank Mr. Davies for this vision to develop such an Urban Sports Park on the former site of the skate park at Llangefni. He considered that the Sports Park will be a great asset to the Town of Llangefni and the Island as a whole. Councillor Dylan Rees left the meeting thereafter.

Councillor Nicola Roberts, a Local Member also wished to congratulate the Urban Sports Park Officials for the vision to create such a facility in Llangefni. She noted that the Llangefni Town Council will be a guarantor to the development.

The Planning Development Manager reported that since completing the report to the Committee one letter of objection has been received by a neighbouring property stating that when the skate park was located on the site, problems of anti-social behaviour, drugs and alcohol use was a constant issue. He stated that he was pleased that Mr. Peter Davies has stated that management of the site will be stringently monitored.

The Planning Development Manager further reported that the Llangefni Town Council has now responded by stating that the location of this development is nearer to neighbouring properties than the previous skate park. He noted that the climbing wall and gym is located nearer to the neighbouring properties. The Officer noted that whilst he accepted that the development is nearer to

the neighbouring properties the buffer provided to the rear gardens is sufficient and no amenity impact from the sports park.

Members of the Committee were fully supportive of the application and Councillor Raymond Jones proposed that the application be approved and Councillor Lewis Davies seconded the proposal.

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

12.3 43C77G/VAR/ENF – Application under Section 73A for the variation of conditions (06) landscaping, trees and shrubs, (07) hedgerow at the rear of plots 1-3, (15) protecting the approved dwellings from noise together with the deletion of condition (05) trees, or hedge lopped or felled on planning permission reference 43C77D at Gerlan, Four Mile Bridge

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

Councillor Trevor Ll. Hughes, a Local Member said that trees have been felled contrary to pre-commencement conditions with regard to this application. He noted that planning permission was given for 3 dwellings to be erected on site; one dwelling has been erected whilst the remaining two are currently being constructed. He stated that local concerns have been expressed with regard to this application and he expressed his dissatisfaction with regard to retrospective applications.

The Planning Development Manager reported that the applicant is requesting the removal of one condition and that the requirements of the remainder of the outstanding conditions be varied to enable the required information be submitted following the commencement of works. The development is currently in breach of conditions 05, 06, 07 and 15 of the planning decision 43C77D. The Officer stated that the applicant must sign an agreement with the Local Planning Authority to accept conditions to ensure that trees/hedges on the site or boundaries of the site are not looped, topped or felled without the consent; that the site be landscaped and planting of trees and shrubs; that the hedgerow at the edge of the site be protected. He further stated that conditions will need to be agreed to develop the planting of trees to protect the dwellings from noise from the RAF base at Valley. The Local Planning Authority considers that the relevant information be submitted within 4 months from the date of an approval of the application.

Councillor Lewis Davies expressed his concerns that planning conditions must be adhered to and was concerned that retrospective planning applications are continuing to be submitted to the Planning and Orders Committee.

Councillor Jeff Evans a Local Member expressed that he was also concerned that retrospective planning applications are presented to the Planning and Orders Committee. Developers must comply with conditions which have been

attached to approval of planning applications. However he noted that the applicant will be given 4 months to rectify the conditions imposed and replace the trees/hedges on this site. Councillor Jeff Evans proposed that the application be approved and Councillor K.P. Hughes seconded the proposal.

Councillor Lewis Davies abstained from voting.

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

12.4 45C432C – Full application for the erection of two dwellings together with the construction of a vehicular access on land at Graig Fawr, Dwyran

The application is reported to the Planning and Orders Committee at the request of the Vice-Chairperson who is also a Local Member.

Councillor Lewis Davies said that the Vice-Chairperson had requested that the application be deferred as inadequate consultation has undertaken within the community with regard to this application. The Planning Development Manager stated that the Vice-Chairperson had emailed the department stating that she was unable to attend the meeting due to illness and was concerned that the local community's concerns would not be voiced at the meeting. She further contacted the department requesting that consideration should be given for the Committee to visit the site due to flooding, highways and design issues.

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

It was RESOLVED that the site be visited.

13 OTHER MATTERS

13.1 38C219H/LB – Listed building application for the change of use and alteration and extension to the existing outbuilding to create a dwelling at Cae Mawr, Llanfechell

The Planning Development Officer reported that the application was presented to the Committee at its February 2016 meeting when it was noted that the application was made by a 'relevant officer' under the Council's Constitution at paragraph 4.6.10.2. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

He said that since the Planning and Orders Committee held in February 2016 discussion have taken place regarding amended design to three existing arched openings to the front elevation of the existing building rather than blocking off the lower part of the arched openings. The recommendation is of

approval but the matter would need to be confirmed by CADW as the building is listed.

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

It was RESOLVED that the application be forwarded to CADW for consideration.

**COUNCILLOR W.T. HUGHES
CHAIR**