

Planning and Orders Committee

Minutes of the meeting held on 2 November 2016

- PRESENT:** Councillor Ann Griffith (Chair)
Councillor Richard Owain Jones (Vice-Chair)
- Councillors Lewis Davies, Jeffrey M. Evans, John Griffith,
K P Hughes, W T Hughes, Vaughan Hughes, Victor Hughes,
Raymond Jones, Nicola Roberts.
- IN ATTENDANCE:** Planning Development Manager (DFJ),
Planning Assistants,
Highways Officer (JAR),
Legal Services Manager (RJ),
Committee Officer (MEH).
- APOLOGIES:** None
- ALSO PRESENT:** Local Members : Councillors T.LI. Hughes (application 12.6); P.S. Rogers (application 7.3); Ieuan Williams (application 12.3).
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1 APOLOGIES

As noted above.

2 DECLARATION OF INTEREST

Councillor T. Victor Hughes declared a personal interest with regard to application 6.2 and said that he had received advice both from the Council's Legal Department and from the Public Services Ombudsman's Office that it was appropriate for him to participate in this matter.

Councillor T. Victor Hughes declared a prejudicial interest with regard to application 12.1.

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

Councillor R.O. Jones declared a prejudicial interest with regard to application 6.1.

Councillor Peter Rogers stated that, although not a member of the Committee, he would declare an interest and leave the Chamber on application 11.1.

The Planning Development Manager declared an interest with regard to application 6.2. and would leave the Chamber.

3 MINUTES

The minutes of the previous meeting of the Planning and Orders Committee held on 5th October, 2016 were presented and confirmed as correct.

4 SITE VISITS

The minutes of the planning site visits held on 19th October, 2016 were presented and confirmed as correct.

5 PUBLIC SPEAKING

The Chair announced that public speakers had been registered to speak with regard to applications 7.2, 7.3, 12.2 and 12.6.

6 APPLICATIONS THAT WILL BE DEFERRED

6.1 20C310B/EIA/RE – Full application for the construction of a 49.99MW solar array farm together with associated equipment, infrastructure and ancillary works on land adjacent to Rhyd y Groes, Rhosgoch

(Having declared a prejudicial interest in this application, Councillors W.T. Hughes and R.O. Jones withdrew from the meeting during consideration and determination thereof).

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

6.2 36C338A – Full application for the erection of a dwelling and detached garage on land opposite Ysgol Henblas, Llangristiolus

(Having declared an interest in the application, the Planning Development Manager left the meeting during discussion and voting thereon).

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

7 APPLICATIONS ARISING

7.1 15C215C – Full application for the erection of a dwelling together with the installation of a septic tank on land adjacent to Tyddyn Bwrtais, Llangadwaladr

(Having declared an interest in the application, Councillor T. Victor Hughes was not present during the consideration and determination thereof).

Councillor Ann Griffith stood down as Chair of the Committee for this application in order to address the matter as a Local Member. The Vice-Chair chaired the item.

The application was presented to the Planning and Orders Committee at the request of a Local Member. At the meeting held on 5 October, 2016 the Committee resolved that a site visit should take place and this was subsequently carried out on 19 October, 2016.

Councillor Ann Griffith, a Local Member said that there are no objections to the application locally. She noted that the application site is located within the periphery of the village of Llangadwaladr. Llangadwaladr is a listed settlement under Policy 50 of the Ynys Môn Local Plan and under HP5 of the Stopped Unitary Development

Plan. She believed that approving this application would not have an adverse effect on the landscape and that it is an appropriate landfill. Councillor Griffith referred to the reference within the Officer's report to the effect of such a development on the AONB; she was of the opinion that a dwelling in this location would not have a negative effect on the AONB.

Councillor Peter Rogers, a Local Member said that the applicant cares for his elderly mother who lives at Tyddyn Bwrtais. The dwelling has been in the family for over a century. At present the applicant lives in a caravan on the site. Councillor Rogers said that a condition could be enforced on any approval of the application to restrict any further development of the land.

The Planning Development Manager stated that due to the distances between the proposed dwelling and the developed part of the hamlet, the proposal is not considered as an acceptable infill application and would leave a gap between the village and the dwelling. The application site is located within an AONB area. The recommendation was to refuse the application.

Councillor K.P. Hughes said that Llangadwaladr is a listed settlement where single plots can be approved; a pattern of such dwellings already exist in the village of Llangadwaladr. He proposed that the application be approved. Councillor Jeff Evans seconded the proposal.

Councillor Lewis Davies said that such a development can have an adverse effect on the landscape and the AONB. He proposed that the application be refused in accordance with the Officer's recommendation. Councillor John Griffith seconded the proposal.

Following the subsequent vote it was **RESOLVED to approve the application contrary to the Officer's recommendation as it was considered that the application conforms with Policy 50.**

(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 reasons given for approving the application).

7.2 44C102A – Outline application for the erection of a dwelling with all matters reserved on land to the rear of Hazelbank, Rhosybol

The application was presented to the Planning and Orders Committee at the request of a Local Member. At its meeting held on 7th September, 2016 the Committee recommended that a site visit should take place and subsequently it was carried out on the 21st September, 2016. At the Planning and Orders Committee held on 5th October, 2016 the application was deferred in order to give the applicant an opportunity to serve notice on the neighbouring property. The required notice has now been served on the neighbour.

Ms. Roma Rerrie, the applicant spoke in favour of the proposal. She said that the application site is behind her dwelling known as Hazelbank. Her eldest daughter is severely disabled and has complex needs. Her current home Hazelbank no longer meets her needs. The proposed dwelling is primarily purpose build with an annex for her daughter and her carers. She requires one to one support and approval of the application would allow her to have constant support and access to community support on a more frequent basis. This would give her more quality of life but still

would have closeness to her family. Ms. Rerrie further stated that selling her house, Hazelbank, will allow her financial sustainability which will allow her to build a purpose built dwelling for family and disabled daughter. Ms. Rerrie said that she appreciated the comments of the Officer's report to the Committee which notes refusal of the application due to tandem development; the proposed dwelling lies between a settlement boundary of the village of Rhosybol. She noted that the dwelling would have an alternative access in the event if it is needed. The land around Hazelbank is generous enough to allow for privacy measures from the new dwelling.

The Committee questioned Ms. Rerrie as to whether she had considered utilizing the numerous outbuildings into a dwelling or demolishing them and building on the footprint of the outbuilding; this would alleviate having to encroach into the countryside. Ms. Rerrie clarified that there is an issue of privacy for both Hazelbank and the proposed new dwelling; this is why she had chosen to identify the site in question. The Committee further questioned as to why the applicant did not consider extending her current property Hazelbank for the purpose of her disabled daughter. Ms. Rerrie responded that it would be very costly both for her and the local authority to renovate an old dwelling. The reason for a new build was that it would be cost effectively for the family in the future.

Councillor W.T. Hughes, spoke as a Local Member and said that the family have lived in the village of Rhosybol for over 25 years. Ms. Rerrie wishes to provide for her disabled daughter for the future. The Highways Authority has not objected to the access to the development site.

The Planning Development Manager said that the application was deferred at the last meeting so as to allow the applicant to serve notice on her neighbouring property. Her neighbour has refused to reduce the height of the wall between the two properties at present. This will be a matter for the applicant to resolve if the Committee decided to approve the application. The Officer said that Rhosybol is identified as a Listed Settlement under Policy 50 of the Ynys Môn Local Plan which allows for single plots applications within or on the edge of a village. He stated that the access to the site is unacceptable due to the development constituting a tandem development i.e. one house behind each other which share the same access. The Planning Development Manager said that if the Committee were minded to approve the application a 'Grampian' condition would state that no development can take place without agreement between both parties that the height of the wall between both properties is reduced. The recommendation is to refuse the application.

Councillor Jeff Evans said that providing support and facilities for a disabled child is commendable. Following his attendance at the site visit he did not consider that there is an issue not to support the application as it does not intrude or affect any AONB area; he considered that there would be no tandem development issues. Councillor Evans proposed that the application be approved. Councillor W.T. Hughes seconded the proposal.

Councillor Lewis Davies said that whilst he sympathised with the applicant wishing to provide a purpose built home for her disabled daughter, he considered that the access to the site was dangerous. He considered that the applicant should reapply for planning permission once the issue of reducing the height of the wall between neighbouring properties is resolved. Councillor Lewis Davies proposed that the application be refused in accordance with the Officer's recommendation. Councillor T.V. Hughes seconded the proposal.

Following the subsequent vote it was **RESOLVED to approve the application contrary to the Officer's recommendation but subject to a Grampian condition relating to the access as it was considered that the application will not create a tandem development.**

(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 reasons given for approving the application).

7.3 45C84M/ENF – Retrospective application for the change of use of land into a playing field together with the construction of a new access at Pendref, Penlon, Newborough

Councillor Ann Griffith stood down as Chair of the Committee for this application in order to address the matter as a Local Member. The Vice-Chair chaired the item.

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

Mr. John Ifan Jones, a public speaker and an objector to the proposal said that he was representing the local residents. He said that the land at Pendref, Penlon has been agricultural land and has been long standing as grazing land. Planning Policy D7 – the retention of agricultural use in category 1, 2 and 3 applies; this application falls into category 3. The land verges on an AONB area and a Special Conservation Area. Policy 33 of the Local Plan refers that conservation of such areas is paramount. Policy D9 neither prohibits development in sensitive areas nor allows for the character of the land to be affected. He said that there is already a playfield located at the local primary school together with an enclosed playing field created recently at a substantial cost to the Council. There is noise pollution from the use of the application site. It is contrary to Policy CH1 and NCT21 – in rural areas facilities should be installed in a village location. The Rhosyr Community Council has expressed their objection to the application due to the site being too far from the main housing cluster to be a valuable asset to the community. He further expressed that the access to the playing field is far more dangerous than the previous application for car parking facility for a restaurant which was refused last December. A new access is on a 60 mph road with an increase of pedestrian using the nearby coastal path. He considered that the flood risks have not been addressed fully.

The Committee questioned Mr. Jones with regard to who uses the playing field as the local football team no longer exist in the village and what is the intention of the application for the use of the land. Mr. Jones responded that it has been obvious that children and youths have been using the field as residents have been subjected to noise and swearing coming from there. He said that the applicant was refused planning permission for a car park on the land but he considered that this application is much worst as the field will have a car park and more people using the land for sporting activities.

Mr. Liam Barrie, the applicant spoke in favour of the proposal. He said that they are offering a playing field for community use. Originally the field in question was part of their business set up with a local farmer leasing the land for grazing purposes. The local football team at the time approached them to ask if they could use the field. He said that his business could justify loss of earning by allowing community use of the field and his customers at the local restaurant. They have agreed to plant over a

thousand trees around the field adjacent over the last 12 months as screening. A designated parking area has been created. Children's training sessions have been arranged together with archery and croquet sessions.

The Committee questioned Mr. Barrie as regard to the intended use of the field for the community together with local concerns with regard to safety issues with children walking from the village on a busy road. Mr. Barrie responded that the proposed application is not a designated football pitch; this is for children and the community to use for recreational purposes. He said that there is a footpath from the village to the site.

Councillor Peter Rogers, a Local Member expressed his support for the application. He noted that he made available a field for the local football team some years ago and planning permission was not sought. He stressed that the children and young people of the village of Newborough need such a facility, this is a deprived area. It is intended to close the local primary school in the future and there will be no facility in the area. Local businesses such as this who are willing to support the community need to be supported.

Councillor Ann Griffith, a Local Member said that she has called the application to the Planning and Orders Committee for determination due to concerns and support for the application within the local community. The Community Council has expressed objection to the application. Councillor Griffith said that a 21st Century School is to be developed in the village of Newborough in the near future which will incorporate all the facilities for the children.

The Planning Development Manager updated the report to the Committee and confirmed that 94 letters of support and a petition with 50 signatures in objection to the application had been received; but no addresses had been afforded with the petition. A letter of objection has been received by CPRW. The change of use of land to a playing field together with the construction of a new access is considered to be acceptable and it would not have a detrimental impact upon the character and appearance of the area.

Councillor Jeff Evans said that he welcomed such a development for the use of the local community. He stated that this is not a designated football pitch; it is a recreational area for the community.

Councillor Nicola Roberts also supported the application and welcomed such a development as a community gain for the village of Newborough. Councillor Nicola Roberts proposed that the application be approved in accordance with the Officer's recommendation. Councillor Jeff Evans seconded the proposal.

Councillor Lewis Davies proposed that the application be refused and Councillor John Griffith seconded the proposal of refusal.

Following the subsequent vote it was **RESOLVED to approve the application in accordance with the Officer's recommendation, subject to conditions set out in the written report.**

(Councillors T.V. Hughes and Raymond Jones abstained from voting).

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

11.1 45C468 – Full application for conversion of outbuilding into a dwelling, the construction of a vehicular access, the installation of a package treatment plant together with the erection of an ecology mitigation structure at Bodrida Bach, Brynsiencyn

(Councillor Peter Rogers, whilst not a Member of the Planning and Orders Committee declared a prejudicial interest and left the meeting during discussion and voting thereon).

The application is presented to the Planning and Orders Committee for determination as the applicant is related to a Local Member. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

The Planning Development Manager updated the report submitted to the Committee and stated that a Structural Report has now been received by the applicant. The Structural Report challenges the Officer's interpretation of new building work required. He further stated that the Highways Authority have submitted recommendations that a passing bay on the road to the application site should be attached to the application. The Planning Development Manager sought the Committee's approval to defer the application so as to address the issues raised as noted above.

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

It was RESOLVED to defer consideration of the application to allow Officer's further time to consider the contents of a structural survey submitted by the applicant and to also discuss the highway passing bay requested by the Highways Authority.

12 REMAINDER OF APPLICATIONS

12.1 15C30H/FR – Full application for change of use of agricultural land to extend the existing caravan park to site a further 14 touring caravans together with the installation of a septic tank on land at Pen y Bont Farm Touring and Camping, Malltraeth

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

Councillor T.V. Hughes proposed that the application site be visited and Councillor Ann Griffith as a Local Member seconded the proposal. The reason given for visiting the site was to view the current touring and camping site at Pen y Bont.

It was RESOLVED that a site visit be undertaken to view the application site.

12.2 20C304A – Full application for change of use of part of the dwelling into Class A3 (hot food take-away) together with the creation of a pedestrian access at Bron Wendon, Cemaes

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

Mrs. Anna Fern, a public speaker and an objector to the proposal said she was representing the residents of Penrhyn, Cemaes Bay. She said that residents have raised concerns with regard to the parking and traffic the business will generate from deliveries and waste collection. There is no footpath near the site. Penrhyn, Cemaes Bay is an area of outstanding beauty and near the coastal path.

The Committee questioned Mrs. Fern if there are any empty business properties in the village of Cemaes for such a facility. Mrs. Fern said that there are empty shops on the high street in Cemaes and she believed that the rental charges are reasonable. The Committee further questioned Mrs. Fern whether she considered if there was a need for such a facility in Cemaes. Mrs. Fern said that she was given to understand that the applicant is aiming to attract business from walkers who walk on the coastal path.

Mrs. Marcie Layton the applicant spoke in favour of the proposal. Mrs. Layton said that her aim is to provide a healthy take-away food outlet in the village of Cemaes. She said that the obesity rate in Wales is high and she considered that she could contribute in helping people with healthy food options rather than the normal take-away services. She considered that the high street in Cemaes does not need a further take-away option. Mrs. Layton said that she hoped that people who walk on the coastal path and the community would rather a healthy food option near the coast. She said that she is mentored and supported by Prime Cymru to be able to give healthy food options for people. Employment opportunities for local people could materialise from such a venture.

The Committee questioned Mrs. Layton as to why she does not wish to rent a shop on the high street in Cemaes. The Committee also questioned if people will be able to use their cars to get to the proposed take-away due to the narrowness of the road at Penrhyn. Mrs. Layton said that due to personal reasons she did not wish to leave her property; she considered that the centre of the village of Cemaes is well supplied with food service providers. She said that potential customers could park at the Harry Furlong car park which is very close to her property. There are holiday lets in the vicinity and people walking along the coastal path could order their food and collect it on their way home. The Committee further questioned as to how the applicant would control litter and food waste from her property. Mrs. Layton said that she intended to use decomposable and bamboo packaging; extra bins would be provided at her property as well.

Councillor W.T. Hughes, a Local Member questioned if there was a need for another food outlet in Cemaes; at present there are ten food outlets in a small village. He considered that the traffic and parking would be an issue in area of Penrhyn if the application was approved.

The Planning Development Manager said that the key issues which need to be considered is the effect on neighbouring properties, highways and whether the proposal are acceptable from a policy perspective. The proposal entails the change of use of part of the dwelling into a takeaway outlet; there are no parking facilities available and all traffic will be directed to the nearby car park. Planning Policies support such a business venture but this type of outlet (A3) is best suited to a central village location. The proposed application would harm the amenity of the residential area and would have a negative impact upon adjacent residential properties. The Officer highlighted that approval of the application would equate to an A3 take-away premises and there would be no control on any future use of the property. The recommendation was of refusal of the application.

Councillor Jeff Evans said that such a healthy eating establishment has a potential of being beneficial in the village of Cemaes.

Councillor R.O. Jones, a Local Member said that he supported such a venture. He considered that people who walk on the coastal path would welcome a healthy eating option. Councillor Jones proposed that the application for an A3 take-away outlet be approved for a term of 2 years. Councillor Vaughan Hughes seconded the proposal.

Councillor Nicola Roberts said that whilst supporting the idea of a healthy eating take-away establishment, she considered that the site is located within a residential area and was unacceptable due to parking and traffic issue. Councillor Nicola Roberts proposed that the application be refused. Councillor John Griffith seconded the proposal of refusal.

Following the subsequent vote it was **RESOLVED to refuse the application in accordance with the Officer's recommendation as set out in the written report.**

12.3 23C280F – Full application for the erection of an agricultural shed and milking parlour at Plas Llanfihangel, Capel Coch

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

Councillor Ieuan Williams spoke as a Local Member and requested that a site visit be undertaken due to; local concerns that the application site should be located nearer the old farm buildings; the effect on the landscape and effect of drainage in the locality.

Councillor Lewis Davies proposed that the site be visited and Councillor John Griffith seconded the proposal.

It was RESOLVED that a site visit be undertaken in accordance with the Local Member's request for the reasons given.

12.4 23C280G – Full application for conversion of the outbuildings into 10 dwellings, installation of a package treatment plant together with improvements to the existing access at Plas Llanfihangel, Capel Coch

The Planning Development Manager said that the application had been withdrawn by the applicants.

Application had been withdrawn.

12.5 25C242 – Retention of pond together with drainage works at Tyn Cae, Coedana, Llannerchymedd

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

Councillor K.P. Hughes, a Local Member who had called in the application for determination by the Committee requested that a site visit be undertaken due to concerns raised by the Llannerchymedd Community Council together with local residents with regard to potential flooding issues in the area.

Councillor W.T. Hughes proposed that the site be visited and Councillor John Griffith seconded the proposal.

It was RESOLVED that a site visit be undertaken in accordance with the Local Member's request for the reasons given.

12.6 46C572 – Full application for conversion of outbuildings into three dwellings, the installation of a package treatment plant together with improvements to the access at Glan Traeth, Trearddur Bay

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

Mr. Patrick McHugh the applicant spoke in favour of the proposal. He said that he wished to correct remarks contained within the report by the Local Member and Natural Resources Wales. He said that there is no flooding where the private treatment plant is to be located as suggested by the Local Member. The local flood warning area on the Trearddur Bay map clearly shows that the proposed location lies above the flood area. The application details include provision for a private treatment plant to serve the development. This is not a 'new kind of septic tank', it is not a septic tank at all but a sewerage treatment plant which discharges clean water of drinking quality. A septic tank was ruled out because of the nearby flood risk area. Mr. McHugh further said that the site does not slope down to the houses and suggested by the Local Member. The proposed development is at the top of the field and slopes away from the houses towards the flood risk area.

The Committee questioned Mr. McHugh as to why a private treatment plant has been favoured over connecting to the main sewer. Mr. McHugh agreed that he would prefer to connect to the main sewer with regard to the proposed application. He said there is a distance up to 140 metres from the development to the main sewer; there is a height difference of 1.5 metres between the level of the farm development and the main road. Following discussion with Development Engineers the cost of connecting to the main sewer would be over £40k more than the sewerage treatment plant. The Committee questioned if there is a flood risk area near this development. Mr. McHugh said that there is a nearby flood risk area and the sewerage treatment plant are not located in that area only nearby. The Committee questioned what use the applicant would make of the development. Mr. McHugh said that the farm has been in the wife's family for nearly a century. The three proposed dwellings are to be kept for family use.

Councillor T.LI. Hughes, a Local Member who had called in the application said that the residents of Stanley Mill Lane near the development site have expressed that there is some flooding issues in the area. He said that it seems that there is no objection locally to the proposed development but some concerns have been

expressed that the access to the site needs to be completed before commencement of the development site.

The Planning Development Manager said that planning policies support such conversion schemes for rural buildings subject to criteria; this proposed development is a very suitable adaptation of the site. As the development is within a farm courtyard it will not have a detrimental effect on the landscape nor affect the AONB. Natural Resources Wales nor the Drainage Section of the Authority has raised concern with regard to the private sewerage plant.

The Officer further said that there is an intention to improve the access to the site and the conditions stipulated that the improvements to the access must be completed before the dwellings are occupied. The Highways Officer agreed with the comments of the Planning Officer's but he stated that improvements to the access before commencement of the development would be agreeable.

Councillor K.P. Hughes said that he supported that application but that the access to the site should be completed before commencement of the development.

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

It was RESOLVED to approve the application in accordance with the Officer's recommendation, subject to the conditions set out in the written report together with an additional condition that the access to the site be completed before the commencement of the development.

13 OTHER MATTERS

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

**COUNCILLOR ANN GRIFFITH
CHAIR**