

Planning and Orders Committee

Minutes of the meeting held on 7 December 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,
Nicola Roberts.
- IN ATTENDANCE:** Planning Development Manager (DFJ),
Planning Assistants,
Legal Services Manager (RJ),
Committee Officer (MEH).
- APOLOGIES:** Councillor Raymond Jones.
- ALSO PRESENT:** Councillor R.A. Dew (Portfolio Holder – Planning, Public Protection
and Economic Development)
- Local Members : Councillor Peter S. Rogers (application 7.2);
Councillors Jim Evans, R. Meirion Jones & Alun Mummery
(application 7.4).
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1 APOLOGIES

As noted above.

2 DECLARATION OF INTEREST

Councillor T.V. Hughes declared a personal interest with regard to application 6.4 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.V. Hughes declared a prejudicial interest with regard to application 7.1.

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 Nicola Roberts declared a prejudicial interest with regard to application 6.3.

The Planning Development Manager declared an interest with regard to application 6.4 and would leave the Chamber.

3 MINUTES

The minutes of the previous meeting of the Planning and Orders Committee held on 2 November, 2016 were presented and confirmed as correct.

4 SITE VISITS

The minutes of the planning site visits held on 16 November, 2016 were presented and confirmed as correct.

5 PUBLIC SPEAKING

There were public speakers with regard to applications 7.2 and 7.4.

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 23C280F – Full application for the erection of an agricultural shed and milking parlour together with the construction of a slurry pit at Plas Llanfihangel, Capel Coch

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

6.3 34C681 – Outline application for the erection of 8 dwellings and 2 affordable dwellings with all matters reserved together with the construction of a new vehicular access and associated works on land to the rear of Tyn Coed Estate, Llangefni

(Having declared a prejudicial interest in this application, Councillor Nicola Roberts withdrew from the meeting during consideration and determination thereof).

It was RESOLVED that a site visit be undertaken in accordance with the Officer's recommendation set out in the written report.

6.4 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.

6.5 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

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. At the previous meeting of the Committee held on 2 November, 2016 it was resolved to approve the application contrary to Officer's recommendation on the grounds that it was considered that the proposal complies with Policy 50 of the Ynys Môn Local Plan. The Planning Development Manager stated that Planning Officer's opinion remains that the plot is visually separate from the hamlet of the village of Llangadwaladr and would constitute an undesirable intrusion into the countryside and would erode the character and natural beauty of the Area of Outstanding Natural Beauty. He noted that it will be difficult to refuse any future residential developments on the field; this would have a detrimental impact on the locality. The recommendation of the Officer's is one of refusal.

Councillor K.P. Hughes reaffirmed his previous decision to support the application and he proposed that the application be approved. Councillor Jeff Evans said that following the comments at the last meeting which stated that Llangadwaladr is a listed settlement and that single plots can be approved and that there is a pattern of such dwellings already exists in the village. He seconded the proposal of approval of the application.

Councillor Lewis Davies stated that this application would intrude into the countryside and he proposed that the application be refuse in accordance with the Officer's recommendation. Councillor John Griffith seconded the proposal. Following the subsequent vote :-

It was RESOLVED to reaffirm the Committee's previous approval of the application subject to conditions to be determined by the Officer's.

7.2 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 & Camping, Malltraeth

The application is presented to the Planning and Orders Committee at the request of a Local Member, Councillor Peter Rogers. At the meeting held on 2 November, 2016 the Committee resolved that a site visit should take place and this was subsequently carried out on 16 November, 2016.

Mr Jeff Hughes the applicant spoke in favour of the proposal. Mr. Hughes said that in the late 1980's farmers were asked by the government to diversify. He said that

following discussion with ADAS they considered opening a static caravan site at Pen y Bont Farm. The planning authority suggested that static caravan site would not be approved and application for a touring site was applied for. An application was submitted and the only objection to the application from Natural Resources Wales as the site was on a flood plain. In response the opening hours were reduced from March to April and close in September instead of October when the weather would be more favourable. This was satisfactory to all parties and planning approval was obtained. The reason as to why he is asking for this small extension to the site is that when the site was opened in 1989, 90% of the touring caravans were single axle and 15 to 16 foot long. As most caravans are twin axle and measure 21 to 22 foot long they take a larger pitch. The reason Natural Resources Wales have now objected to this application is the impact on wildlife. The applicant said that over the last 25 years they have planted hundreds of metres of hedgerows, opened five large ponds and have reduced the farm stock on nesting areas in the spring for breeding birds. The area under consideration is only 1.9 acres, leaving 275 acres for agriculture and wildlife.

Mr. Hughes further said that the south west of Anglesey has become very popular with tourists, especially Llanddwyn Island, Newborough Forest and Malltraeth estuary and with just having eight extra pitched for touring caravans would help with accommodating these people who want to visit the area. In addition local businesses could gain from people staying at Pen y Bont Farm.

The Committee questioned Mr. Hughes as to the frequency of flooding at Pen y Bont Farm. Mr. Hughes responded that the only occasion he has experienced flooding was on Boxing Day last year with only his mother's property which is located near the farm was affected.

Councillor Ann Griffith, a Local Member confirmed that she visited her electorate on Boxing Day last year as Anglesey was affected by torrential rain. She said that she visited Pen y Bont Farm and the land was not flooded. She said that she supported the application.

Councillor Peter Rogers, a Local Member said that he fully supported the application due to the massive growth of this part of the Island due to tourist visiting the area. The applicant has diversified to have a touring caravan site on his farm and the extra 8 pitches will be located on a current play area; he did not consider that the wildlife would be affected.

The Planning Development Manager stated that the application site lies within the boundary of the Malltraeth Marsh Special Site of Scientific Interest (SSSI). The SSSI is noted for its breeding bird community of lowland damp grassland, as a threatened habitat of wet meadows, and for the botanical interest of its ditches and watercourses. Natural Resources Wales have objected to the proposal due to the likely impact on Malltraeth Marsh SSSI. Natural Resources Wales have also expressed strong objection due to site being within the flood zone. The Officer further stated that if the application was given approval, Natural Resources Wales have noted that they would refer the matter to the Welsh Government. The Officer's recommendation is of refusal of the application.

Councillor Jeff Evans stated that there has not been undue flooding on the application site. He stated that due to a play area already on the proposed site he was of the opinion that there would not be undue effect on wildlife. He proposed that the application be approved in contrary to the Officer's recommendation.

Councillor T.V. Hughes stated that the application site has planning approval for a touring caravan site already. The proposed application site, the farmhouse, outbuildings and toilet block is the same level as the current touring caravan site. There is no history of flooding on Pen y Bont Farm. During the site visit to the application site, deep ditches were viewed on both sides of the road to the farm. He said that this farm has successfully diversified and similar projects needed to be encouraged on Anglesey and particularly on this part of the Island. However, Councillor Hughes had concerns as to the installation of a septic tank on the site; he considered that a sealed treatment plant would be more appropriate. He referred to the definition of TAN 16 which refers to caravan and camping sites to the meeting. Councillor T.V. Hughes seconded the proposal of approval.

Councillor Lewis Davies said that the opinion of Natural Resources Wales should be adhered to. The Malltraeth Marsh is a Site of Special Scientific Interest and should be protected. Councillor Davies proposed that the application be refused in accordance with the Officer's recommendation. Councillor John Griffith seconded the proposal of refusal.

Following the subsequent vote :-

It was RESOLVED to approve the application contrary to the Officer's recommendation as it was considered that the flood risk level does not constitute a refusal of the application and due to the current usage of the land it was considered that approval of the application would not have a significant additional detrimental effect on Malltraeth Marsh SSSI.

(In accordance with the requirement of the Council's Constitution, the application was automatically deferred to the next meeting to allow Officer's the opportunity to prepare a report in respect of the reasons given for approving the application).

7.3 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.

The Planning Development Manager reported that the applicant has agreed to submit a Hydro-geology report to address local concerns as to the possible effect of the pond on the drainage system of nearby dwellings. The recommendation was to defer the application.

It was RESOLVED to defer consideration of the application to allow the applicant to submit a Hydro-geology report.

7.4 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 adjacent to The Lodge, Holyhead Road, Menai Bridge

The application is presented to the Planning and Orders Committee at the request of Local Members. At the meeting held on 3 February, 2016 the Committee resolved that a site visit should take place and this was subsequently carried out on 17 February, 2016.

Ms. Jess Madge, a public speaker and an objector to the proposal addressed the meeting. Ms. Madge said that the applicants wish to set up this new business on the banks of the Menai Strait and between two historic bridges. Tourists and local residents regularly linger here to gaze at the bridges and the mountains. Many would argue that this is the best vista in Wales. The part is an iconic part of the Area of Outstanding Natural Beauty. Zorbing is an activity that entails a huge ball rolling down a slope and the applicants seek permission to construct a building and a car park on the site. In addition, in order to operate, they would need to construct some means of keeping the zorbing ball on track, either a large gutter or two lines of fencing, together with a large net similar to an outsize football goal to bring the ball to a halt. Thereafter they will need to retrieve the ball and an activity that could involve the use of a quad bike. In addition, it was assumed that they will need a fence to keep out livestock that graze on the adjoining land. Ms. Madge said that there has been considerable objection to this application by local organisations and individuals. They object on a wide variety of grounds including concerns for the habitat and wildlife in the nearby SSSI, disturbance to the tranquillity of Church Island and a risk to road safety. Ms Madge said that it was a statutory duty of the Council to manage the unique Area of Outstanding Natural Beauty and she referred to the Countryside and Rights of Way Act 2000. The Zorb Centre would not preserve and enhance the natural beauty of this unique corner of Anglesey. The car park and its entrance would inevitably be visually intrusive, even more so when it contains vehicles and the field would inevitably be cluttered with all the paraphernalia that such a business would need to operate.

The Committee questioned Ms. Madge as to why she has stated that the application would not preserve nor enhance the natural beauty of the area. Ms. Madge referred to the Countryside and Rights of Way Act and noted that planning of trees and hedgerows would not preserve what already exists on the site.

Ms. Anna Matthews, a public speaker and a supporter of the application addressed the meeting. Ms. Matthews said refusing this application would be a mistake for Anglesey as this application fits perfectly within the AONB development plan for Anglesey which has objectives to develop low impact activities, similar to the proposal, within these areas. Having the site close to the A55 and the mainland will help encourage people to visit Anglesey and improve the Island's economy which is lagging in comparison to the economy of the mainland. North Wales has recently been voted the 4th most visited place in the World for adventure tourism. The site is not visible from the nearby viewing laybys and will not impose on the iconic view. Setting the site into the contours of the landscape ensures that minimum visual impact will entail from both the road and the coastal footpath. The applicants have also pledged to improve and maintain this adjacent section of the permissive footpath. Plans have been modified to ensure the entrance to the site meets the required standards set by the Welsh Government. Alterations include moving a wall back 2 meters to widen the pavement and to rebuild it to its original state. The mountains and the Menai Strait are a natural beauty and the Zorb Centre will not impact on this natural beauty, it will only create an additional place to view the mountains and the Strait. The A5, the two bridges and the dwelling on Ynys Gorad Goch are all of major historic value, which will benefit from a low impact activity centre where visitors and especially the younger generation can learn about the history of the area. This site lies below a noisy road and a busy stretch of water and on the outskirts of a town, noise generated from the site will not compare to these surrounding factors. Ms. Matthews further stated that many of her friends that grew up on Anglesey have left due to the lack of opportunities. The applicants are two motivated young members of the community who have set about creating an opportunity for themselves and others in this beautiful area, which they respect and choose to live. The plans have been created with consideration for the surrounding

area together with an emphasis on encouraging young people to learn and appreciate the Island.

The Committee questioned Ms. Matthews as to how many employment opportunities will entail from this proposed development and whether the business would be as successful if the site was located within another part of the Island. Ms. Matthews responded that 6 to 8 jobs will be created over the summer months i.e. April to September. She noted that research has been undertaken by the applicants to locate an appropriate site for this business. Many factors were considered as to the correct length and gradient of the land; strength of the wind affects this type of activity and the number of days the facility may operate depends on the success of such a business. Having such a business close to the mainland will encourage people to visit the Island. The Committee considered that tourists and locals enjoy stopping at the nearby layby to view the iconic beauty of the area and questioned Ms. Matthews as to whether the car park would be visible from the road. Ms. Matthews responded that the car parking area will be located behind a wall and the cars will be less visible from the road and the footpath. The Committee further questioned as to the statement that this location is more favourable due to the strength of the wind in this area; over 100 mph wind have been recorded on Britannia Bridge and the Committee questioned if the applicant had commissioned a wind study of the area. Ms. Matthews responded that she was not aware that a wind study has been commissioned but compared to other locations on the Island this site is more favourable.

The Planning Development Manager reported that he wished to correct the report of the Officer that the application has been presented to the Committee for consideration at the request of the Local Members and not by the Vice-Chair of the Committee. He said that the principal of creating a new business attraction and encouraging employment and tourism does comply with many planning policies and local/national strategies. However, giving weight and balancing the economic/tourism benefits against the impact upon the Area of Outstanding Natural Beauty/Setting of Listed Buildings the recommendation was of refusal of the application.

Councillor R. Meirion Jones, spoke as a Local Member and said that he considered that the location of such an activity is not suitable. The application was submitted a year ago and has raised immense concern in the locality due to the beauty of the area; it is considered that this is an iconic natural beauty together with historical features of both bridges and is an Area of Outstanding Natural Beauty. Concerns have been raised as to the volume of traffic which already exist near this proposed site, surface water/flooding and jobs with low income for employees. Councillor Jones referred to the disturbance of wildlife in the area. If this application was approved it would open the floodgates to similar business activities in the area.

Councillor Jim Evans, spoke as a Local Member and said that he seconded the comments by Councillor R. Meirion Jones. He noted that Menai Bridge Town Council has submitted their comments with regard to this application and have stated that this proposed application is not suitable in this locality and the access to the site is dangerous.

Councillor Alun Mummery, spoke as a Local Member and said that the residents of Menai Bridge and Llanfairpwll have expressed their concerns with regard to the proposed application.

Councillor Lewis Davies said that the application site is the most iconic site in the World. Applications for wind turbines have been rejected in the area due to the impact on the AONB and the protection of the area is important. The proposed application

would have an effect on the coastal path together with impact on the wildlife and rare plants. The area is within a SSSI area. The creation of an access to the road from the site would be dangerous due to heavy traffic. Creating a hardstanding on the site would create flooding with ground water flowing towards the coastal path. Councillor Lewis Davies proposed that the application be refused and Councillor W.T. Hughes seconded the proposal of refusal.

Members of the Committee considered that there are more suitable areas on Anglesey for such a Zorb Centre.

It was RESOLVED to refuse the application in accordance with the Officer's recommendation as set out in the written report.

7.5 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 previous meeting of the Committee held on 2 November, 2016 it was resolved to approve the application contrary to Officer's recommendation on the grounds that it was considered that the dwelling would not create a tandem development. The Planning Development Manager stated that Planning Officer's opinion remains that the proposed development would create a tandem development i.e. one house behind each other which share the same access. However, an agreement has been reached with the owner of the neighbouring land to improve the access to the property. The recommendation is still one of refusal.

Councillor Lewis Davies said that he supported the Officer's opinion that the proposed dwelling would create a tandem development and proposed that the application be refused in accordance with the Officer's recommendation. Councillor John Griffith seconded the proposal of refusal.

Councillor W.T. Hughes said that the dwelling would be for the family to provide for the applicants disabled daughter and proposed that the application be approved. Councillor Jeff Evans seconded the proposal of approval as he did not consider it to be tandem development.

It was RESOLVED to reaffirm the Committee's previous approval of the application subject to conditions to be determined by the Officer's.

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 23C339 – Full application for conversion of outbuilding into two dwellings at Tyn Llidiart, Talwrn

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

The Planning Development Manager reported that the application complies with planning policies for outbuildings to be converted into dwellings. The Structural Report confirms that the existing building is structurally sound and is suitable for conversion.

Councillor Nicola Roberts 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 conditions set out in the written report.

11.2 48C197 – Full application for the conversion of an outbuilding into a dwelling which includes a balcony together with improvements to the existing vehicular access on land opposite Penclegir, Gwalchmai

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

The Planning Development Manager reported that the application complies with planning policies for an outbuilding to be converted into a dwelling and the scheme is considered acceptable within this policy context.

Councillor Nicola Roberts 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 conditions set out in the written report.

12 REMAINDER OF APPLICATIONS

12.1 19LPA1030/CC – Full application for the siting of a mobile classroom at St. Mary's Primary School, Longford Road, Holyhead

The application was presented to the Planning and Orders Committee for determination as the application is submitted by the Local Authority.

Councillor Vaughan Hughes proposed that the application be approved and Councillor John Griffith seconded the proposal.

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

13 OTHER MATTERS

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

**COUNCILLOR ANN GRIFFITH
CHAIR**

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