

Planning and Orders Committee

Minutes of the meeting held on 4 July 2018

- PRESENT:** Councillor Nicola Roberts (Chair)
Councillor Richard Owain Jones (Vice-Chair)
- Councillors John Griffith, Glyn Haynes, T LI Hughes MBE,
K P Hughes, Vaughan Hughes, Eric Wyn Jones, Bryan Owen,
Dafydd Roberts and Robin Williams
- IN ATTENDANCE:** Chief Planning Officer (DFJ),
Planning Development Manager (NJ),
Planning Manager (Major Consents) (SO) (for application 7.1),
DCO Lead Case Officer – Wylfa Newydd Nuclear New Building
(AC) (for application 7.1),
Solicitor (PM) (for application 7.1),
Senior Planning Officer (GJ),
Senior Engineer (GWG),
Development Control Engineer (Highways) (JAPR),
Planning Assistant,
Legal Services Manager (RJ),
Committee Officer (MEH).
- APOLOGIES:** None
- ALSO PRESENT:** Local Member : Councillor Gwilym O Jones (application 7.3)
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1 APOLOGIES

None.

2 DECLARATION OF INTEREST

Councillor Nicola Roberts a personal interest in application 10.2 and left the meeting during discussion and voting thereon

Councillor John Griffith declared an interest in application 7.1 as he is a Member of the Wylfa Newydd Project Liaison Group.

Councillor K P Hughes declared an interest in application 7.1 as he is a Member of the Wylfa Newydd Project Liaison Group.

Councillor Richard O Jones declared an interest in application 7.1 as he is a Member of the Wylfa Newydd Project Liaison Group.

The Legal Services Manager said that Councillors John Griffith, K P Hughes and R O Jones have confirmed that they have not taken any discussion within the Wylfa Newydd Project Liaison Group as regard to the works required on the A5025 as part of the Wylfa Newydd Project and therefore it was considered that they were able to take part within the discussion of the application before the Committee and voting thereon.

The Planning Development Manager declared a personal interest in application 6.2 and left the meeting during discussion and determination of the application.

3 MINUTES

The minutes of the Planning and Orders Committee held on 6th June, 2018 were confirmed as correct subject to the inclusion at 7.4 that Councillors John Griffith and Robin Williams abstained from voting on the basis that although the application was acceptable in planning policy terms, they did not agree with the principle of charging.

4 SITE VISITS

The minutes of the Planning Site Visits held on 20th June, 2018 were confirmed as correct.

5 PUBLIC SPEAKING

There were no public speakers.

6 APPLICATIONS THAT WILL BE DEFERRED

6.1 34C304Z/1/ECON – Full application for the erection of six buildings, the change of use of field into a heavy plant training area together with the creation of a new car park at Coleg Menai, Ffordd y Coleg, Llangefni

The Planning Development Manager reported that it was considered necessary for members to view the proposal and its context prior to considering the application.

It was RESOLVED to visit the site in accordance with the Officer's recommendation for the reasons given.

6.2 Full application for the change of use of agricultural land for use as a temporary stopping place (10 spaces) for Gypsies and Travellers, formation of a new vehicular access, the formation of a new pedestrian access and pavement together with associated development on land East of Star Crossroad, Star

Having declared an interest in this application, the Planning Development Manager withdrew from the meeting during consideration and determination of the item.

The Chief Planning Officer reported that the recommendation was to defer the application and that the application will be discussed at the next meeting of the Planning and Orders Committee to be held on 25 July, 2018.

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

7 APPLICATIONS ARISING

7.1 27C106E/FR/ECON – Full application for improvements to the existing highway (A5025) between A5 East of Valley Junction to the proposed Power Station Access Road Junction at eight separate locations together with reconstruction and localised widening of existing pavement and surface dressing, temporary construction compound including temporary pavement recycling facility, creation of 2 attenuation ponds and maintenance access, creation/temporary diversion of cycle routes, creation of alternative parking facilities to mitigate loss of layby together with other associated works including drainage, boundary treatments, planting, new signage and road marking along the A5025 between A5 East of Valley Junction to Power Station Cemaes

(Councillors John Griffith, K P Hughes and R O Jones had declared an interest as regard to this application).

The application was presented to the Planning and Orders Committee as the application includes land in ownership of the Isle of Anglesey County Council. At the meeting held on 6 June, 2018 it was resolved to visit the site in accordance with Officer's recommendation. The site was subsequently visited on the 20 June, 2018.

The Planning Manager (Major Consent) in the first instance, read out a letter of objection which had not been included within the report to the Committee. The letter specified that '*the improvement to the A5025 should be an opportunity to bury power cables to the Grid and ideally removing the existing pylons within that process then thereafter to follow the A55 over the new bridge*'. He assured the Committee that due consideration has been given to the matter but the Officers considered that the objection is unable to be enforced within a planning condition.

The Planning Manager (Major Consents) reported that the application for highways improvement works to the A5025 are linked to the construction and operation of the proposed Wylfa Newydd New Nuclear Power Station. It comprises of works within 8 sections along, and adjacent to the existing highway i.e.:-

- Section 2 runs from the north of the junction of the A5025 and the A5 at Valley to north of Llanynghenedl;
- Section 4 north of Llanfachraeth to the south of Llanfaethlu;
- Section 6 north of Llanfaethlu to the north of Llanrhuuddlad;

- Section 8 north of north of Cefn Coch to proposed Power Station access road junction.

These sections would amount to an overall length of 16.19km and would be largely confined to within the existing highway boundary.

Further improvements to the A5025 are separately proposed on sections 1, 3, 5 and 7 will involve a 'chip and tar' works on the relevant sections and the period of works will be considerably less than sections 2, 4, 6 and 8.

Ancillary works to the improvement of the highway under this application would include creating attenuation ponds and maintenance accesses, creation of cycle routes, drainage, planting, new signage and road markings. To undertake the works, a temporary construction compound including temporary pavement recycling facilities is required and that is located within the junction of section 8 of the turning for Llanfairynghornwy/Mechell.

Horizon, as the proposed developer of Wylfa Newydd, has made this application to allow delivery of the On-line Highway Improvements to improve the poor condition of the existing road. Construction traffic for Wylfa Newydd would use the A5025 from the A55 junction 3 (and following a short length of the A5). Transport and traffic surveys have shown that sections of the route are currently unsuitable for use by construction traffic associated with the construction of Wylfa Newydd. The proposed development will therefore deliver necessary improvements to the A5025 to facilitate the construction of Wylfa Newydd. As this is a public road maintained by this Council as Highways Authority, a Highway Works Collaboration Agreement between the Isle of Anglesey County Council and Horizon has been put in place and the Highways Section has been closely involved in the design of the works within this application. The A5025 On-line Highway Works are part of the enabling works to help facilitate the construction and operation of the Wylfa Newydd DCO Project, the relevant planning policy in consideration of this application are set out with the Officer's report to the Committee. He noted that the Joint Local Development Plan (JLDP), Strategic Policy PS9 addresses early works which may need to be undertaken to develop the Power Station. In order to comply with the JLDP, such works should be designed to deliver or mitigate the impact of the Wylfa Newydd Project. The proposal before the Committee at today's meeting would help to deliver the Power Station on schedule by allowing highway improvements to be undertaken ahead of the DCO and would help mitigate the impacts of construction by improving the transport infrastructure and thereby reducing impacts on other road users. The proposed development was considered by the Council in October 2016 to determine as to whether an environmental impact assessment was required. The Planning Officers, having consulted on the proposal, determined that the proposals do not require an environmental impact assessment to be produced as there are no significant effects within environmental terms.

The Planning Manager (Major Consents) further reported that the proposal has also been considered under the Habitats Regulations and as regards to recent developments within European Case Law on which advice has been taken,

Officers have determined that this proposal can be screened out for habitats and therefore this Committee is able to make a planning determination on the application.

The Officer expressed that the recommendation of the Planning Officers is of approval of the application but he wished to bring to the attention of the Committee that there is condition attached to any approval of the application that the works is to be completed within 2 years from the date of the permission which is clearly shorter than the standard five years which is normally given. This condition is suggested to ensure that the works are carried out within a shorter course and in line with the stated need for the application which is to improve the highway ahead of substantial construction beginning on the main Wylfa site. He further noted that the Welsh Government, Highways Authority have stipulated that an additional condition needs to be attached to any approval of the application which states that improvements to the road to the Wylfa Newydd Site be completed before any works commence on site but the Planning Officers of this Authority have a contrary view as stated within the Committee report which confirmed that the condition did not satisfy the relevant tests within the Circular in their view. It was confirmed however that the condition would be imposed in line the Direction unless following further discussion with WG Highways Authority they agreed to have the condition removed. The formal decision notice when issued would reflect these discussions. If this application is approved a Section 278 Agreement will be entered into between the Council and Horizon under which the Council will deliver the Scheme and Horizon will underwrite the costs. In delivering the works Horizon will use the Highways Authority's contracting arrangements and approved contractors.

Councillor Dafydd Roberts ascertained whether a condition could be imposed that internet fibre cabling dugs be laid under the highway network to the Wylfa Newydd site. The Planning Manager (Major Consents) responded that the matter has been discussed with Horizon and it was easier to lay cabling within sections 2, 4, 6 and 8 compared to sections 1, 3, 6 and 7 as these sections will entail a 'chip and tar' works on the current highway infrastructure.

Councillor John Griffith questioned as to whether the comments by the local Community Councils have been considered as to the reduction within the speed limit in the village of Llanfaethlu as suggested by the Llanfaethlu Community Council and secondly whether the concerns of Mechell Community Council as to the potential that traffic will use country lanes in the area of Llanfachell and through the village to avoid roadworks on the A5025. The Planning Manager (Major Consents) responded that during the consultation period and briefing sessions as regard to this application due consideration has been given to the comments made by the local Community Councils and stringent conditions, some of which relate to the management of traffic, have been imposed on any approval of the application. Councillor John Griffith further questioned as to whether there will be improvements to the highway network through the village of Llanfachraeth. The Planning Manager (Major Consents) responded that it was premature to consider any improvements or speed restriction through the village of Llanfachraeth and that the matter would be address, if needed, as

regard to any restriction through the village. Councillor Griffith further questioned as to concerns as regard to the Wylfa scheme complying with the Welsh Language Standards. The Planning Manager (Major Consents) referred to the Officer's report to the Committee and referred that all temporary construction signage and permanent highway signage will be installed as part of the development as part of the development shall be provided in Welsh first and English after. He noted that a Welsh Language and Culture Co-ordinator is to be appointed as a link with local communities and the local authority.

Councillor Bryan Owen proposed that the application be approved and Councillor Vaughan Hughes seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation subject to the conditions contained within the written report and that an additional condition as imposed as required by the Welsh Government, Highways Agency (despite Officers having a contrary view) that improvements of the road to the Wylfa Newydd Site be completed before any works commence on site.

7.2 46C615/AD – Application for the siting of a non-illuminated sign together with the installation of car parking meter at the car park above the Visitor Centre, South Stack, Holyhead

The application was presented to the Planning and Orders Committee as the development is on Council owned land and has been called in by two Local Members. At its meeting held on 2nd May, 2018, the Committee resolved that a site visit should take place. The site visit subsequently took place on 16th May, 2018. At the meeting held on the 6th June, 2018 the Committee resolved to refuse the planning application contrary to Officer's recommendation as it was considered that the application is unacceptable due to the negative effects of traffic parking on the road which has no footway and which could lead to health and safety issues.

The Planning Development Manager reported that one of the Local Members, who had called-in the application, Councillor Dafydd R Thomas was unable to be present at the Committee and she read out a letter on behalf of Councillor Thomas to the Committee which reaffirmed his objection to the application due to health and safety issues. The Planning Development Manager further report that the Officer's report to the Committee provides a response to the reasons cited by the Committee for refusing the application. As the application is acceptable on planning grounds it was considered that the proposal will not have any adverse effects on the surrounding area nor on the AONB. The recommendation therefore remains one of approval.

Councillor T LI Hughes MBE said that he opposed the application for the siting of a parking meter at the site and reiterated that the piece of land as regard to this application has always been an area for vehicles as a 'turning point' and not a car parking site. Councillor T LI Hughes MBE proposed that the application be refused and Councillor Kenneth P Hughes seconded the proposal of refusal.

The Legal Services Manager said that the Committee must be aware that the nature of the application is the siting of a parking meter on site and the substantive opposition to refuse due to the level of charging and traffic issues would be problematic within a possible appeal.

It was RESOLVED to reaffirm the decision to refuse the application contrary to the Officer's recommendation on the grounds that the erection of a car parking meter on the site is likely to have a negative impact on highway safety; there is no pedestrian footway to the site and the location site has been a turning space for vehicles over the years.

(Councillors John Griffith, R O Jones, Robin Williams abstained from voting on the basis that although the application was acceptable in planning policy terms, they did not agree with the principle of charging).

7.3 49C333A/FR – Full application for change of use of disused chapel into a dwelling together with alterations and the construction of a first floor balcony at Hermon Chapel, Field Street, Valley

The application was presented to the Planning and Orders Committee as it has been called in by two Local Members. At its meeting held on 2nd May, 2018 the Committee resolved that a site visit be undertaken. The site visit subsequently took place on 16th May, 2018. At its meeting held on the 6th June, 2018 the Committee resolved to approve the planning application contrary to Officer's recommendation as it was considered that the existing finished floor levels are acceptable and would withstand any future flooding and that the proposal complies with the requirements of TAN 15. It was also considered that works recently carried out to the culvert have alleviated the flooding problems in the area, therefore there is no longer a flooding risk to the area.

Councillor R A Dew and G O Jones, as Local Members reaffirmed their support in respect of this application. Councillor Jones referred that the only grounds for opposing the application by the Planning Officer's is due to an objection by Natural Resources Wales as they consider that the application is contrary to policy TAN 15 as they consider that the site is identified within their flooding zone maps. He noted that a Planning Inspector has commented recently within a separate appeal process that NRW flood zone maps are out of date and especially within the Valley area. Councillor Jones suggested that this Authority should consult with NRW in respect of flood zone maps for the Island.

The Planning Development Manager reported that there are no objections to the proposal in terms of design, highways impact or effects on neighbouring properties or amenities. She noted that the proposed development is located in a C2 flood zone – TAN 15 which states that no residential development should be permitted in a C2 zone and since the proposed conversion is to be for a residential dwelling it would elevate it into a high-risk use making it a highly vulnerable development. The Planning Development Manager said that NRW have now confirmed that they will not refer the matter the Welsh Government.

Councillor Eric Jones proposed it reaffirm approval of the application contrary to the Officer's recommendation as he considered that the levels of the flooring of the proposal are sufficient to withstand any flow of water from whatever source. Councillor Bryan Owen seconded the proposal of approval as the building has existed on site for a number of years.

It was RESOLVED to reaffirm the decision to approve the application contrary to the Officer's recommendation on the grounds that it was deemed that the proposal complies with TAN 15 in that the building has existed on the site for a number of years and is sufficiently elevated to minimise the risk of flooding.

8 ECONOMIC APPLICATIONS

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

9 AFFORDABLE HOUSING APPLICATIONS

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

10 DEPARTURE APPLICATIONS

10.1 33C284B/DEL – Application under Section 73 for the removal of conditions (10) (code for sustainable homes), (11) (code for sustainable homes), (12) (code for sustainable homes) and (20) (footway) together with the discharge of conditions (07) (trade descriptions and materials), (08) (means of enclosure) and (09) (drainage details), so as to provide details of trade descriptions of the materials proposed to be used on external surfaces, full details of the proposed means of enclosure around and within the site and drainage details as part of the current planning application together with variation of conditions (13) (windows) and (21) (in accordance with approved plans) so as to amend the approved plans of planning permission reference 33C284A (erection of 3 new dwellings together with the creation of a vehicular access) on land opposite Holland Arms, Pentre Berw

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

The Planning Development Manager reported that the proposal entails the removal of conditions as part of the planning permission reference 33C284A approved in 2013. She noted that the 3 dwellings are now similar in size and context compared to the previous approved application as one dwelling was larger than the other two dwelling. Due to the reduction in size of the dwellings the application site is smaller in context, it is no longer necessary to remove the existing stone wall to the south west of the application site or re-divert the footway near the site. The Planning Development Manager further said that under the approved Joint Local Development Plan, Pentre Berw is identified as a cluster where housing proposals can only be supported for

affordable housing for local need between or adjacent to buildings. This application does not comply with the requirements of Policy TA16 as the dwellings are open market dwellings. However, as the application site has an extant planning permission the recommendation is of approval.

Councillor Vaughan Hughes proposed that the application be approved and Councillor Bryan Owen seconded the proposal.

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

10.2 49C289K/VAR – Application under Section 73A for the variation of conditions (02) so as to amend the site layout and the design of units 2, 3, 4, 5, 6, 7, 8, 9 and 12, (06) so as to allow for the submission and discharge of the programme of archaeological works post commencement, (09) so as to amend the car parking provision together with the deletion of condition (11) (finished floor levels) of planning permission reference 49C289 (conversion of outbuilding into 12 dwellings) at Cleifiog Fawr, Lôn Gorad Road, Valley

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

The Vice-Chair took the Chair in respect of this item.

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

The Planning Development Manager reported that the planning permission was granted as regard to this application in October 2016 for the change of use of the existing dwelling and outbuildings into 12 residential units together with the installation of a treatment plant and consequently the principle of the development has already been established and works have commenced to implement the permission. The application before the Committee deals with 10 of the residential units on site. She noted that there was a condition attached to the previous approved application that archaeological works needed to commence before works commenced on site and that a written scheme of investigation was needed to be submitted to the Local Planning Authority. Gwynedd Archaeological Planning Service, as part of the current application, have confirmed that the information had been supplied directly to them in December 2016 rather than the Local Planning Authority. They have further confirmed that the information was satisfactory and that they subsequently approved the details. The Planning Development Manager said that when the application was firstly considered the site was within an identified flooding zone C1. Natural Resources Wales have assessed the application and deemed it acceptable as there is a flood defence structure to be constructed to address any flood risk and there is no need for a condition

to raise the flooring of levels of the dwellings. She noted that as the Joint Local Development Plan (JLDP) was formally adopted in July 2017 the application must be assessed against the relevant policies within the JLDP. Policy TAI 7 of the JLDP which relates to the conversion of traditional buildings in the open countryside to residential use states that they will only be permitted if employment use of the buildings is not viable and that the development provides affordable units for the community's local need or the residential use is a subordinate element of a wider business use, amongst other listed criteria. The proposal is therefore contrary to the provisions of Policy TAI 7 of the JLDP, however since the site benefits from an extant and implemented planning permission the recommendation is of approval.

Councillor Robin Williams proposed that the application be approved and Councillor Vaughan Hughes seconded the proposal.

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

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

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

12 REMAINDER OF APPLICATIONS

12.1 19C251U/FR/TR – Full application for change of use of vacant land into a car rental site which includes an office on land opposite Travel Lodge, Kingsland Road, Holyhead

The application was presented to the Planning and Orders Committee at the request of a local member.

The Planning Development Manager reported that application is to change the use of the site into a car rental use with an associated office in a porta-cabin and car valet canopy where vehicles would be cleaned. The proposal entails the creation of a tarmaced compound for the parking of 22 rental vehicles and 7 customer car parking spaces. It is anticipated that up to 5 persons will be employed within the application site. She noted that the application was call-in to the Committee for determination by a Local Member due to traffic and parking issues near the site and concerns as regard to the site location which is near the A55. The Officer said that the Highways Authority nor the Welsh Government Highways Agency have objected to the application but a construction management plan dealing with the construction and operation of the proposed development has been stipulated by the Highways Authority. Drainage and surface water comments are awaited as regard to the application. She further noted that details of the equipment to be used, hours of operation and noise levels from the proposed development have been submitted to the Environmental Service who are at present assessing the matter. The application site is within a C2 flood risk zone but the application

has been deemed to be categorised as less vulnerable development under the provision of policy TAN15 within the JLDP.

The Officer said that the application site was formally occupied by shopping units but the site was cleared and has been vacant for many years and therefore no valid planning use exists on site. Due to no valid planning use, Natural Resources Wales have objected to the application as the Flood Consequences Assessment submitted with the planning application has not demonstrated compliance with TAN 15. She noted that as the development is for car lease facility with a porta cabin on site the level of risk of flooding is deemed low. Added to this, substantial positive weight can be attributed to the economic development in terms of the creation of 5 jobs and urban regeneration and improvement to the visual amenities of the site would accrue from the development. The recommendation is of approval of the application.

Councillor T LI Hughes MBE as a Local Member said that whilst it is accepted that the application site has been vacant for many years and needs to be developed he questioned whether a car leasing facility was appropriate on this site. He said that he had concerns as to the level of traffic already near this application site. He noted that the site lies near the Fire Station, the A55 and also lay-byes which are used for parking. He also said that flooding problems has occurred within this area of the application site.

The Planning Development Manager addressed the issues raised as regards to car parking issues and said that the intention of the developer is to target service users who travel to and from the ferries within the port of Holyhead and train station. She noted that the lay-byes near the site should not be used as long term parking areas and it may be a matter for the Highways Authority to consider enforcing a limited time period for parking on these lay-byes. The Officer said that this matter would be considered separately to this application.

Councillor Robin Williams proposed that the application be approved and Councillor Eric W Jones seconded the proposal.

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

12.2 39C18C/2/VAR – Application under Section 73 for the variation of condition (09) of planning permission reference 39C18H/DA (erection of 21 dwellings) so as to amend the external appearance at Plot 10, Ty Mawr, Menai Bridge

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

The Chair said that Councillor R Meirion Jones, a Local Member has requested that the site be visited

Councillor Robin Williams as a Local Member said that the reason Councillor R Meirion Jones has requested that the application site be visited was that there are concerns within the Ty Mawr Estate as regards to the context of this application. Councillor Robin Williams proposed that the site be visited and Councillor Eric W Jones seconded the proposal. The reason given for the site visit was the possible effects on neighbouring properties.

It was RESOLVED to visit the site in accordance with the Local Member's request for the reasons given.

13 OTHER MATTERS

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

**COUNCILLOR NICOLA ROBERTS
CHAIR**

**COUNCILLOR R O JONES
VICE-CHAIR IN THE CHAIR FOR APPLICATION 10.2**