

PLANNING AND ORDERS COMMITTEE

Minutes of the meeting held on 5 September, 2018

PRESENT: Councillor Nicola Roberts (Chair)
Councillor Richard Owain Jones (Vice-Chair)

Councillors John Griffith, Glyn Haynes, Trefor Lloyd Hughes MBE, Kenneth Hughes, Vaughan Hughes, Eric Wyn Jones, Bryan Owen, Dafydd Roberts, Robin Williams

IN ATTENDANCE: Planning Development Manager (NJ)
Planning Officer (GJ)
Planning Officer (CP) (for application 7.5)
Administrative Assistant (WT)
Administrative Assistant (EW)
Development Control Engineer (JAPR)
Legal Services Manager (RJ)
Committee Officer (ATH)

APOLOGIES: None

ALSO PRESENT: Local Members: Councillor Shaun Redmond (application 7.1), Councillor R.G.Parry, OBE, FRAgS (application 7.2), Councillors R. Meirion Jones and Alun Mummery (application 7.5), Councillor Richard Dew (Portfolio Member for Planning) (application 10.2), Councillor Margaret M. Roberts (application 12.2), Councillor Ieuan Williams (application 12.3)

1. APOLOGIES

None received.

2. DECLARATION OF INTEREST

Declarations of interest were received as follows –

Councillor Bryan Owen with regard to application 7.3

Mr. John R.P.Rowlands, Development Control Engineer with regard to application 6.1

Mrs Nia Jones, Planning Development Manager with regard to application 7.5

3. MINUTES OF THE PREVIOUS MEETINGS

The minutes of the previous meeting of the Planning and Orders Committee held on 25 July, 2018 were presented and were confirmed as correct.

4. SITE VISITS

The minutes of the planning site visits held on 22 August, 2018 were presented and were confirmed as correct.

5. PUBLIC SPEAKING

There were Public Speakers with respect to applications 7.1, 7.2, 7.3, and 7.5.

6. APPLICATIONS THAT WILL BE DEFERRED

6.1 17C181C – Full application for the erection of a livestock shed, erection of a silage clamp, laying of hardstanding, creation of an access together with associated landscaping to include formation of a landscaping bund at Fferam Uchaf, Llansadwrn

Having declared an interest in the application, the Development Control Engineer was not present during the consideration and determination thereof.

The Planning Development Manager reported that that the Planning Department had been awaiting the receipt of information from the applicant regarding landscaping details. This has by now been received and it is recommended that consideration of the application be deferred to allow the Officers to consider the information and enable a full assessment of the case with a view to presenting a report to the next meeting.

It was resolved that consideration of the application be deferred in accordance with the Officer's recommendation for the reason given.

7. APPLICATIONS ARISING

7.1 19C232E/FR – Full application for the demolition of the existing shop together with the erection of a hotel and a commercial unit (Class A3) in its place at 55 Market Street, Holyhead

The application was reported to the Planning and Orders Committee at the request of a Local Member. The Committee at its meeting held on 25 July, resolved to undertake a site visit and this subsequently took place on 22 August, 2018.

Public Speaker

Mr Damian McGann (*for the proposal*) said that the proposed building would be of high quality, great design and would have a leading brand name supporting it. It will transform Market Street and the view from the Port. In terms of specifications, each room will have a flat screen TV, an air conditioning heating system and ensuite facilities. Some of the more fanciful claims made that this is to be a DHSS supported establishment could not be further from the truth. The lack of windows in some rooms is a function of the depth of the building and is quite a standard feature of budget hotel space. Customers have a choice and can decide which type of room they prefer to pay for. The developer is keen to support the local community both in the build phase and beyond as well as supporting local organisations. Mr McGann went on to say that on hearing some of the rumours about the proposed development, he and his co-director arranged a public meeting to clarify the proposal and should it be approved, it was their intention to keep the local community updated as the development progresses. The developer has taken a long time to consider the best use for this space and, after taking significant professional advice believes that what is proposed is the only viable use for the space.

The Committee questioned Mr McGann on the proposed parking arrangements there being no off street parking intended as part of the proposal. The Committee also sought further clarification of the windowless rooms. Mr McGann said that parking provision will be via pay and display car parks in the vicinity and down along the rear of Market Street which the developer believes have the capacity to accommodate visitor vehicles. With regard to rooms having no windows, whilst this is in part due to the depth of the building, it also maximises space and is standard in budget hotel accommodation.

Councillor Shaun Redmond, a Local Member expressed concerns about the application on the basis that Holyhead High Street as the town's retail core is under threat of losing its Class A1 retail units. He pointed out that the town's Class A1 shops are now down to only 36% having deteriorated in recent years for a number of reasons. Councillor Redmond said that there are 128 retail outlets in Holyhead of which 46 are Class A1 usage; 39 of those outlets are food outlets. The proposal under consideration would not only contribute to the deterioration in Class A1 usage but would also put pressure on existing retail and hospitality businesses. Currently, there are 36 privately owned hospitality premises within 1.5 miles of the proposed development – these provide in the region of 360 beds on a daily basis; the Travelodge provides a further 54 beds and an additional 80 beds are in the offing by Premier Inn. Planning consent has also been given to 80 beds via the Conica Waterfront development meaning that the local market will be trying to fill over 600 beds daily. In the summer season over July to September the take-up of the available accommodation within the existing provision is almost 100%; otherwise for the remainder of the year it is less than 50%. Councillor Redmond said that those businesses in the form of B & Bs and guest houses which local people have put a great deal of energy into developing will now be faced with additional competition which of itself is no bad thing but which is happening in a market that with this proposal, is approaching saturation point. This could result in a price bidding war which local guest houses will not be able to sustain meaning some could go out of business. In order to alleviate the situation, Councillor Redmond listed conditions which he asked the Committee to consider applying to the proposal if consented to – these were in relation to the retention of the Market Street frontage of the building for Class A1 usage; confining the sale of rooms/beds to leisure/business customers only; restrictions on how the demolition and building works are conducted so as to minimise disruption to normal and business traffic and the discouragement of grant assistance on the grounds that it would give the developer unfair advantage over local hospitality businesses.

The Planning Development Manager reported that since the closure of the Woolworths store in 2010, the subject building has been empty apart from temporary uses. The building has elevations facing both Victoria Road and Market Street and, due to the difference in levels, the proposed building will also have different floor levels – onto Market Street the building will be of 3 storeys entirely whilst a structure of 6 storeys is proposed on Victoria Road. The scheme has been amended to comply with the requirements of the Heritage Adviser and to reflect its location within a conservation area. The building is also partially located within a C2 Flood Risk Zone, but due to the different floor levels and the fact that the basement/floor level off Victoria Street does not form part of the proposal, Natural Resources Wales offers no objections. The building falls within a designated sub-regional retail centre which current planning policies seek to protect. In accordance with Policy MAN 2 which only permits the change of use of A1 ground floor shops to other uses where it has been shown that the A1 use is unviable and that it has been marketed for this purpose for a period of 6 months, the developer has provided supporting information regarding the marketing process as well as a viability assessment which concludes that the retention of the retail unit as part of a mixed retail/residential use is not viable. The Local Planning Authority is satisfied that the proposal meets the relevant policy criteria. The Officer referred to an additional e-mail received from Môn CF – a charity which is involved with the Empty Shops Initiative working with landlords of empty commercial premises – which confirms that the level of empty shops in Holyhead in 2009 was 39%. Although this has since reduced to 15% the interest over the period has predominantly been in smaller retail units as opposed to larger units such as that which is the subject of the application. As the proposal is for A3 use at ground floor level it could be converted back to A1 retail use at any time without requiring planning consent. As regards the concerns raised about the impact of the proposed development on local businesses, competition issues are not a matter for the Planning Committee. The Council's Economic Development Unit supports the proposal

on the basis of its suitability for the site; the contribution it will make towards the regeneration of Holyhead town centre and because it will create employment. Likewise the Highways Department is satisfied with the proposal in being in a town centre location and accessible by foot, cycle and public transport with bus, rail and ferry interchanges as well as pay and display car parks in close proximity, but conditional upon the submission of an Operational Phase Traffic Management Plan to safeguard movement of goods, vehicles and people during the demolition/construction phase. With reference to the conditions suggested by the Local Member, the Officer clarified that there are specific tests that must be satisfied in imposing planning conditions on consent and this applies even if the applicant agrees to the terms proposed. For example, making consent conditional upon A1 use would materially change the nature of the application (it being for A3 use) and is not a reasonable requirement given that it has been shown that Class A1 use of the building is not viable. She therefore recommended that the Local Member's proposed conditions be not adopted. In light of the reasons given above, the Officer's recommendation is to approve the application.

The Committee sought clarification of the parking position and particularly whether utilisation of Victoria Road and Hill Street by the hotel's guests is likely to affect local residents' parking.

The Development Control Engineer said that as part of the application, the applicant commissioned a specialist company to undertake a traffic assessment which confirms that there is sufficient capacity in nearby car parks within walking distance of the proposed development to absorb the additional requirements taking into account also that use of the hotel will not be wholly car based with guests also expected to access the hotel by public transport, rail and ferry.

The Committee indicated that it was in favour of the application given that the existing building is largely redundant with only intermittent use since the closure of the Woolworths store and is at risk of further deterioration and decline. It was recognised that the proposal will lead to the re-development of the site, and that in the Officer's opinion, will increase the attractiveness of the centre and conserve and enhance this statutorily protected area. The view was expressed that as this is the "only show in town" with regard to developing the application site and that it is policy compliant, the proposal should be embraced.

Councillor Vaughan Hughes proposed that the application be approved in accordance with the Officer's recommendation; the proposal was seconded by Councillor John Griffith.

It was resolved to approve the application in accordance with the Officer's recommendation and report subject to the conditions contained therein.

7.2 23C301C – Full application for the conversion of an outbuilding into an annex as carers' accommodation at Pen y Garreg, Talwrn

The application was reported to the Planning and Orders Committee at the request of a Local Member. At the meeting of the Planning and Orders Committee held on 25 July, 2018 it was resolved to visit the site prior to determining the application. The site visit subsequently took place on 22 August, 2018.

Public Speaker

Mrs Boulderstone (*for the proposal*) spoke to explain the reasons why the proposed conversion of the outbuilding into a carer's annex was necessary in order to provide assistance and support for herself and her husband who suffers with MS and whose sole carer she had been for many years. She said that their son had moved back home after the breakdown of a relationship and was currently occupying the storage room. His help had been invaluable after a period of hospitalisation as her husband is not able to drive

and she was also unable to drive after surgery. Without his support both she and her husband could have ended in care. Mrs Boulderstone said that she foresaw that she could not cope for much longer and that converting the outbuilding into carers' accommodation for her son would enable him to continue to provide support for her husband and her whilst at the same time allowing his two small children to stay with him without unduly tiring her husband whose health was not strong.

Councillor R.G.Parry, OBE, FRAGS, a Local Member referred to the description of a residential annexe set out in the report as "accommodation ancillary to a main dwelling within the residential curtilage of the main residence and may be used for this purpose. It is acknowledged that an extension of a house or conversion of an outbuilding may provide an opportunity to accommodate a person with clearly associated with occupants of the principal dwelling e.g. dependent relative or staff working for the residents of the principal dwelling." He emphasised that the family is in need of help and support but the very long road to the residence which is in the countryside makes it impractical for a carers to live in village of Talwrn for reasons of accessibility in an emergency for example. He asked the Committee to consider approving the application contrary to the Officer's recommendation conditional upon linking the proposed annexe to the main dwelling and prohibiting its sale as a separate unit.

The Planning Development Manager reported that the proposal to convert an outbuilding into an annexe for use as carers' accommodation involves extensive rebuilding work putting it at odds with the requirements of Policy TAI 7 of the JLDP which stipulates that no extensive alterations should be required to enable a development. The Officer said that a previous application for the same development was refused under delegated arrangements. Whilst acknowledging the difficult situation of the family, the issue under consideration is the use of land. The proposal does not comply with Policy TAN 7 which states that in the open countryside conversion of traditional buildings for residential use will be permitted only when specific criteria have been met – these are in relation to providing evidence that employment use of the building is not viable; the development provides an affordable dwelling or the residential use is a subordinate element associated with a wider scheme for business re-use; the structure is sound, the structure does not require extensive alterations to enable the development, as well as the retention of any architectural characteristics of merit and the preservation of the original structure's character. The Officer said that although the unit proposed as part of the scheme is small, it has no link to the main house as would be expected of an annexe and it is considered that the family's need could be met in another way perhaps by extending what they have currently rather than by creating a detached unit. The recommendation is therefore one of refusal

The Committee sought clarification of whether an annexe necessarily has to be joined to the main house and cited as an example the additional separate accommodation which hotels sometime provide within their grounds as being ordinarily described as annexes.

The Planning Development Manager clarified that although there are situations wherein annexes that are located apart from the main building may fulfil an ancillary use, annexes that are detached from the main residence can be considered self-contained dwellings capable of being sold separately from the main dwelling. Although in this case the Local Member proposes a condition to prevent this happening, in light of the tests for attaching conditions to consent it might not be considered reasonable to apply such a condition especially if at any time it becomes possible to share the main building resulting in an application to discharge the condition which in the circumstances the Planning Authority would find difficult to refuse.

Councillor Vaughan Hughes proposed that the application be approved contrary to the Officer's recommendation with the conditions suggested by the Local Member on the

basis that he believed it complies with Policy TAI 7. The proposal was seconded by Councillor Nicola Roberts.

Councillor Robin Williams although sympathetic to the family's situation, proposed that the application be refused in accordance with the Officer's recommendation because of the risk that approval would provide a precedent for future applications to convert outbuildings into annexes in open countryside locations. Councillor John Griffith seconded the proposal because he believed the proposed development is in effect an application for a new dwelling in the countryside.

In the ensuing vote, the proposal to refuse the application was carried.

It was resolved to refuse the application in accordance with the Officer's recommendation for the reasons outlined in the written report.

7.3 36C193P/ENF – Full application for the retention of two storage containers together with the siting of 10 additional storage containers on land at Cefn Uchaf, Rhostrehwfa

The application was reported to the Planning and Orders Committee at the request of a Local Member. At the meeting of the Planning and Orders Committee held on 25th July, 2018, it was resolved that a site visit be undertaken prior to determining the application. The site was subsequently visited on 22 August, 2018.

Having declared an interest in relation to the application, Councillor Bryan Owen was not present during the consideration and determination thereof.

Public Speaker

Mr Nick Billing (***against the proposal***) said that the scope and size of the development is not in keeping with a rural, residential area. The site has been subject to 9 planning applications in the last two years all of which have been objected to with the support of the Community Council and the Assembly Member and which have affected the amenities of local residents in the way of increased noise and traffic. Should the application be approved it will mean there are 90 storage units for rent on the site which if the landowner had applied for this number originally, would have likely been refused. But in applying for the units 10-15 at a time the site has been allowed to grow out of all proportion almost unnoticed begging the question of when will it stop. Mr Billing went on to say that as the site is near to a Public House and as the owner has now closed the car park for public use, there has been an increase in the number of cars parked on the road most nights causing inconvenience to local residents and increasing the risk of a traffic accident on what is a narrow road especially at those times when the containers need to be accessed. Mr Billing said that although he supported local businesses especially if jobs are created, not a single person will be employed through this scheme.

The Planning Development Manager reported that the application is part retrospective and that according to the scheme submitted to the Planning Department the proposal would bring the total number of containers on site to 73. There is local opposition to the proposal and the Community Council is also opposed to the development because of its close proximity to neighbouring properties. The Officer said that the additional containers will be located more than 46 metres away from the boundary of the car park with the adjoining highway at its shortest point. As the proposed containers will be located on a lower ground level than the adjoining properties and set further back into the site towards the agricultural field, the proposal will not have a detrimental visual impact on the surrounding properties or the surrounding area. The two storage containers which the applicant is seeking permission to keep as part of the retrospective proposal are located on top of two rows of existing containers. Having considered the location of the proposed containers within the existing site, Planning Officers are agreeable to the application subject to conditions including a condition to regulate operating hours which was applied

to previous permissions. The Officer said that fencing and landscaping works were also required as part of a previous permission and it is proposed that further landscaping works are carried out via condition (02) which will be amended to require that those works take place before the additional containers are installed on site.

Councillor Dafydd Roberts raised objections to the proposal on grounds of policy saying that it falls outside the development boundary and does not comply with Policy CYF 1 which requires that proposals thus located have to be justified, Councillor Roberts also pointed out that Policy CYF 6 which the report cites as supportive of proposals for business/industrial use in rural areas refers to the reuse and conversion of rural buildings, use of residential properties or new build units for business/industrial units whereas the proposal is for storage units and provides no employment or economic opportunities. He could therefore see no justification for the proposal on the basis of Policy CYF 6.

The Planning Development Manager clarified that notwithstanding the policy requires justification for new business use, the application under consideration is to extend an existing business the principle being similar to that for an application for an extension to a dwelling which requires no justification for the dwelling in order to be able to extend it. The issues for consideration relate to the proposal's impact on amenities in terms of noise, traffic etc. and not whether the business can be justified. If the Committee believes there are grounds for objections due to the effects on amenities which the proposed extension would have over and above the existing commercial use of the site, then that is matter for the Committee to consider.

The Committee sought further clarification of specific issues in relation to the traffic situation in and around the application site and whether it would be affected by the proposed additional containers, and also the cumulative effect of the piecemeal development of the site as a result of storage containers being added to bit by bit with the possibility that this may go on indefinitely.

The Development Control Engineer said that as with most applications a traffic survey had been undertaken. The Officer said that objecting to the application on the basis of traffic is problematic because as an existing business the traffic situation already exists, there have been no reports of an accident and the proposal as presented is for a minor extension which will not materially affect the situation. Nevertheless, the Highways Department has commented on the overall situation brought about by the gradual expansion of the site through a series of occasional applications, but it is not in a position to object on the basis of the individual applications presented because what they propose each time is a minor expansion. Although the Department takes the view that an independent traffic survey would be useful to establish the extent of the traffic which the site has created, this is difficult to justify on the basis of an individual application such as that submitted.

The Planning Development Manager said the development was approved under previous planning policies and that current policies cannot be applied retrospectively to prohibit development. The Officer said that Members of the Committee will have seen from the site visit that future development is likely to be curtailed by the physical confines of the site itself with further expansion being limited without encroaching on adjacent fields which do not form part of the original application site.

Councillor Kenneth Hughes proposed that the application be approved in accordance with the Officer's recommendation. The proposal was seconded by Councillor Eric Jones who agreed with the Officer's view that the development is in keeping with policy and that the site visit had shown that the site is appropriately managed having no undue effects on amenities.

Councillor Dafydd Roberts proposed that the application be refused because it is outside the development boundary. The proposal was not seconded.

It was resolved to approve the application in accordance with the Officer's recommendation and written report subject to the conditions contained therein and subject also to amending condition (02) in relation to landscaping in the way outlined.

7.4 39LPA1046/CC – Full application for the formation of a Park and Ride facility together with the construction of a new vehicular access and associated development at Four Crosses Public House, Menai Bridge

The application was reported to the Planning and Orders Committee as it is made by the Council.

The Planning Development Manager reported that the application which is for 109 parking spaces as part of a park and ride facility, forms part of the Local Authority's response to the likely increase in traffic serving the Wylfa Newydd development. The proposal seeks to reduce workers' travelling time as well as mitigating the potential risk of fly parking during the construction of the Wylfa Newydd Nuclear Power Station by providing centrally located parking provision. The proposal is independent of the Integrated Traffic and Transport Strategy which is Horizon's own transport strategy for the construction of Wylfa Newydd setting out how Horizon proposes to transport all goods/materials and workforce to the site during the construction period. The proposed parking facility would be operational 24 hours a day and will be available for use by the public as part of a legacy use once its specific use by workers associated with the Wylfa Newydd build comes to an end. The Officer said that an additional letter of objection to the proposal has been received but that it does not raise any issues not already addressed by the written report. Many of the objections to the application question the need for such a facility in this area; however the proposal will mitigate against the potential risk of fly parking during the construction of Wylfa Newydd to the benefit of residents in the close vicinity by minimising the risk of fly parking and the impact on highway safety. Additionally, it is proposed that the application if consented to is subject to a Section 106 agreement which will ensure that the permission is not implemented if the Wylfa Newydd development does not go ahead. A Noise Impact Assessment has been submitted with the application which confirms that the proposal will not have a detrimental adverse noise impact on the locality. The Officer said that there are no objections on the part of consultees. The Local Highways Authority proposes conditional approval and ecology mitigating conditions as well as a condition to ensure the maintenance of an attenuation pond will be required in line with comments made by the Ecology and Environmental Advisor. The recommendation is therefore to approve the application.

The Committee sought clarification of whether the proposal should be dependent on there being a demonstrable need for such a provision in this area in the event that there is evidence of anti-social parking.

The Planning Development Manager confirmed that the proposal will not be implemented in the event that the Wylfa Newydd development does not go ahead. An assessment of the increase in traffic anticipated as a consequence of the construction of Wylfa Newydd has been made with the intention being to ensure that the facility proposed by the application will have been developed in time to accommodate and mitigate the growth in traffic. It may be possible to include a provision for a further assessment of need in this locality as part of the terms of the proposed Section 106 agreement. In response to a point of clarification raised by the Legal Services Manager the Planning Development Manager confirmed that for the purpose of the Section 106 agreement, the development land is in third party ownership.

Councillor Bryan Owen proposed that the application be approved in accordance with the Officer's recommendation. The proposal was seconded by Councillor Vaughan Hughes.

It was resolved to approve the application in accordance with the Officer's recommendation and written report subject to the conditions contained therein and additional conditions in relation to ecological mitigation and the maintenance of the attenuation pond, and subject also to a Section 106 agreement.

7.5 41LPA1041/FR/TR/CC – 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

The application was reported to the Planning and Orders Committee as it is made by the Council; because the three Local Members have requested that it be heard and determined by the Committee, and also because of the number of third party representations citing objections to the proposed development.

Having declared an interest in the application, the Planning Development Manager was not present during the consideration and determination thereof.

Public Speakers

Mr Mark Inwood speaking on behalf of Billy Cooney (**against the proposal**) a prominent member of the North Wales Gypsy and Traveller community and Leader of the Bangor Back Lane Residents' Association said that he would be reading key points from a verbal statement which Mr Cooney had made a few days previously. Those points were that Mr Cooney thought that the site was a bad idea; that young children would be run over at the site; that there would be too much pollution at the site, that it would be too loud at over 55 decibels and that these issues give people bad health – heart and lung disease – being stuck along the A55; that he hoped and prayed that the application would not be passed and that the gypsy and traveller community would not be using the site anyway.

Mr Dewi Gwyn (**against the proposal**) speaking on behalf of the residents of Star and the Penmnydd Community Council which had presented a petition of over 1,500 signatories against the application said that they were agreed that the gypsy and traveller community needs a site on the Island but that they deserve better than the very unsuitable and dangerous site at Star. The residents of Star as well as the gypsy and traveller community and North Wales Police worry that a fatal accident will occur either as a family walk along the busy A5 road to Llanfair or when gypsy vehicles arrive on site in convoy – the Highways Department has commented that the application should be refused if it means vehicles having to stop on the A5. Noise levels on the site are also unacceptably high and according to Capita's report will remain so even after the erection of an acoustic barrier. High noise levels will affect the gypsies' health and even more so the health of their children, and if they want to play safely outside then Capita's answer is that they should leave the site. The site is regularly under water – Welsh Government guidelines clearly note that local authorities should not create sites close to river hazards where there are particular risks to children and adults, and should consider carefully in siting them close to busy roads. The same guidelines state that every site should be located in a pleasant situation at a reasonable cost without making the residents feel that they are imprisoned. The gypsies themselves have described the scheme as a noisy prison. It is the Council that is responsible for funding temporary stopping places with this having to be done at a time of severe financial constraints – it has already found the answer in creating a temporary stopping place on the Council's car park which is safer, drier, quieter and more economical than the site at Star. The option favoured by the gypsies themselves is a transit site funded wholly by Welsh Government which has none

of the hazards of the site at Star. Mr Gwyn pointed out that one of the Council's six major themes is to become customer, citizen and community focused – all three oppose this application and he urged the Committee to do so too.

The Committee questioned Mr Dewi Gwyn on the range of amenities which Star is able to offer. Mr Gwyn said that apart from the Post Office most amenities can be found in Llanfairpwll which is accessed by foot along an unlit road or by paying to go by bus.

Mr John Stoddard, Associate Director of Capita Real Estate (**for the proposal**) said that Capita had been appointed by the Council's Housing Services. He referred to the Council's legal obligations to assess and meet the accommodation needs of the gypsy and traveller population within their area and said that the application is a direct response by the Council in addressing its statutory legal requirement to comply with the Housing Act. It is the duty of local authorities in Wales to provide authorised sites including the temporary stopping place for the Romany Gypsy community at Star. Mr Stoddard said that the application is specifically for a temporary stopping place for the Romany Gypsy community to stay when visiting Anglesey thereby providing them with an authorised site to be used on a temporary basis whilst staying on the Island. The Gypsy community are frequent visitors to the Island and in the past have occupied unauthorised sites at Mona Industrial Estate usually staying for 2 to 3 weeks. Mr Stoddard listed the technical reports which had been prepared by suitably qualified professionals to accompany the application; these comprise of a Rapid Health Impact Assessment; a Phase 1 Geo-Environmental Report; An Air Quality Assessment; Ecological Impact Assessment; a Flood Consequences Assessment; a Noise Impact Assessment; a Landscape and Visual Appraisal; a Road Risk Assessment process and a Site Management Plan including an Operational Phase Management Plan. The application is the culmination of extensive dialogue and collaborative working with the Housing Department, Environmental Health and North Wales Police. Additionally the design proposals have considered the selected site in detail and have involved extensive consultation with numerous services within the Council, statutory bodies and key stakeholders. The Romany Gypsy community who visit Mona have also been consulted on several occasions and are supportive of the proposals with their views having been taken into account in the site's design. During a recent unauthorised encampment at Mona, North Wales Police stated that had the Star site been available, then the travellers would have used the facility. Mr Stoddard said that the Council is also in receipt of a signed declaration from the gypsy families who stay at Mona which he read out and which confirms their involvement in the consultations and their support for the proposal at Star. The Local Planning Authority supports the application and is recommending it for approval.

The Committee sought further clarification of Mr Stoddard as regards when and by whom the declaration was signed. Mr Stoddard said that the declaration had been signed by the gypsy and traveller families visiting Mona. Dr Caroline Turner, Assistant Chief Executive, Isle of Anglesey County Council (**for the proposal**) confirmed that the declaration was signed on 19 July, 2018. She said that the Authority has developed a good working relationship with this community – a cluster of families which have been visiting Anglesey for many years – and has come to know them well so as to be able to establish their travelling pattern. Housing Officers have visited them regularly during their visits and also during the site design process as well as at other times in other parts of Wales in order to obtain their views. They are an industrious people who visit Anglesey to work and to see friends and family.

Councillor Robin Williams, also a Local Member, referred to the Welsh Government's 2015 guidance on designing gypsy and travellers' sites wherein it is stated that temporary stopping places should not be considered as long-term alternatives to residential or transit sites. He questioned whether the proposal for the campus at Star

with its provision for an acoustic barrier and fencing creates the impression of a long-term rather than temporary stopping place.

Dr Caroline Turner said that the proposal and its design have been developed on the basis of the Gypsy and Travellers' Accommodation Needs Assessment undertaken by the Council during the winter of 2015/16. Currently there is no temporary stopping place and very few transit sites in Wales so the guidance prepared by Welsh Government in 2015 has not been tested to any great extent. The Council has established the travelling patterns of the gypsy and travellers' community over the past few years, has talked to the community which has been regularly visiting Anglesey annually and the Council has subsequently based the design on need. Therefore, the application site if approved, will exist for years with the "temporary" element referring to the length of time the travellers will be staying at the site which will be for 2 to 3 weeks at a time in accordance with the pattern which the Council has observed. The facilities at the site have been prepared in line with need and conform to the Welsh Government guidance. The Council's Gypsy and Travellers' Accommodation Needs Assessment has been approved by Welsh Government; the Council has also provided testimony to the Planning Inspectorate which found the submissions acceptable and confirmed that it did not have to be included as a site in the JLDP.

The Committee tendered further questions about the nature and characteristics of the application site including noise levels and the acceptability of 3m high screening which the Legal Services Manager advised would be more appropriately addressed to the Planning Officer.

Councillor Alun Mummery and R. Meirion Jones both spoke strongly against the application in their capacity as Local Members, citing health and safety concerns arising from the site's proximity to the A55 and A5 highways bringing with it a very real potential for accidents, noise and air quality effects potentially detrimental to health and well-being as well as the overall visual impact of the proposal as providing robust grounds for rejecting the site location as highly unsuitable for the purpose intended. They referred to the need for a 3m high acoustic barrier and lockable security fence around the site as evidence of its unsuitability making it in effect a restricted access compound. In addition they pointed out that the site at Star was the lowest scoring of the three sites originally considered and that it will only be able to accommodate 10 pitches whereas the travelling community making use of Mona comprises of 14 pitches. The Local Members urged the Committee to refuse the application.

The Planning Officer reported that the proposal includes the creation of a hardstanding capable of accommodating 10 caravans and associated towing vehicles within a series of demarcated pitches along the northern span of the site. Further ancillary development will consist of an informal enclosed amenity area to the east of the site, LED lighting columns, toilet and shower facilities and drainage and fire safety apparatus. Right of access to and from the site is proposed via a crossover to the southern site boundary on the eastbound carriageway of the A55. Pedestrian access is proposed via a gate on the southern boundary of the site along with a section of footway linking the existing footway towards the Star junction at the west. The site will be enclosed by means of a security fence, an acoustic fence, site access gates and pedestrian access gates both of which will be key pad controlled. In addition there is a natural screening device which in this case is a hedgerow. The closest settlement to the development site is Star at 17m to the north beyond the A55 with Llanfair situated 1.8km to the east. The Officer acknowledged that the matter has proved contentious and has raised a number of issues including but not confined to noise, highways and access, site management, visual impact and capacity and has generated a significant level of public objection as well as call-ins from Local Members which are all summarised in the written report. The key issues for the Committee to consider are the acceptability of the proposed development and the use of the land; its suitability as a temporary stopping place for gypsies and travellers and the

acceptability of the development from the perspective of the amenities of the users as well as public amenities. In respect of the consultations undertaken in relation to the application, the range of consultees is set out in the written report and whilst they have provided comments and recommendations on specific issues or specialist advice in their given fields no objections have been made on the basis of site drainage, traffic and pedestrian safety, landscaping impact, noise or other environmental impact, ecological impact, economic nor tourism impact. The Officer said that he was now able to confirm that Welsh Government has provided a response and offers no objections to the proposal subject to the inclusion of the 3m noise barriers in accordance with the submitted plan, that any existing environmental mitigation must not be disturbed and that no drainage from the site should be connected to or allowed to discharge onto the trunk road nor to its drainage system. Based on the information presented the recommendation is to approve the application.

The Committee sought clarification of the Officer whether the proposed development site would be considered suitable for residential dwellings. The Planning Officer said that the proposal under consideration is not for housing but a temporary stopping place for gypsies and travellers.

The Committee noted also that on the site visit, Members had not been able to get close to the site because it was considered too hazardous to access it by foot. The Committee further noted that the Gypsy and Travellers community using Mona is composed of 15 caravans and many dogs which in itself poses a risk in terms of highway safety and also which calls into question the capacity of the proposed site in Star which is designed to take 10 caravans.

The Development Control Engineer said that accessing the site by foot from the layby during the site visit was not possible because there is currently no footway, although the creation of a footway does form part of the proposal. As regards highway safety, the Officer confirmed that the access to the site has been designed in accordance with national standards and is acceptable. The Highways Department's main concern regarding the application was on account of vehicles stopping on the A5 highway to access the site and the implications for other traffic on the road. Following discussions with the applicant's agent and the submission of an amended Site Management Plan whereby travellers en route to the site will telephone ahead to ensure that the gates are opened prior to their arrival so as to avoid any obstruction on the highway from vehicles waiting to enter the site, the Highways Department is satisfied with the proposal subject to conditions. The Officer said that it is difficult to oppose the application from a highways perspective given that a plan to mitigate the concerns has been presented.

In relation to site capacity, the Planning Officer referred to the site layout and said that as well as the concrete hardstanding to the back of the site with 10 demarked areas for the individual pitches, there is a reinforced grass area to the fore which according to the Site Management Plan whilst not allocated for any overspill parking or additional pitches, could take some additional vehicles strictly at the discretion of the Housing Department as manager of the site. Although not a planning consideration, the Officer also confirmed that it is the intention to charge a rent for each pitch.

Having heard all the representations made, Councillor Robin Williams proposed that the application be refused contrary to the Officer's recommendation because he believed the proposal to be contrary to Policy TAI 19 which states that a set of criteria have to be met for planning consent to be granted. Criterion 4 stipulates that environmental factors, including ground stability, contaminated land, and proximity to hazardous locations should not make the site inappropriate for residential development unless mitigation is possible and proportionate. Councillor Williams said that the report prepared by Capita states that noise levels reaching 76 decibels have been recorded at the proposed site. The same report also refers to Noise Exposure Category D where planning permission

should be normally refused when the noise range is above 72 decibels. Councillor Williams said he believed the application to be non-compliant with policy for this reason. Councillor Eric Jones seconded the proposal.

Councillor John Griffith proposed that the application be approved in accordance with the Officer's recommendation based on professional and specialist opinions. The proposal was seconded by Councillor Kenneth Hughes.

In the ensuing vote, Councillors John Griffith and Kenneth Hughes voted in favour of the application whilst Councillors Bryan Owen, Eric Jones, Vaughan Hughes, Trefor Lloyd Hughes Dafydd Roberts and Robin Williams voted against. The vote to refuse the application was therefore carried.

It was resolved to refuse the application contrary to the Officer's recommendation on the grounds that the proposal conflicts with Policy TAI 19, criterion 4 in respect of noise levels.

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 on the reason given for refusing the application.

7.6 38C310F/EIA/ECON – Wylfa Newydd Cemaes

This application was considered by the Planning and Orders Committee at the earlier morning meeting of the Committee.

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

10.1 21C38H/VAR – Application under Section 73A for the variation of conditions (10) (foul and surface water) and (11) (Management and Maintenance Plan) of planning permission reference 21C38G/VAR (erection of 4 dwellings) so as to allow the submission of information within 3 months instead of 2 months at the former Daniel Business Centre, Llanddaniel

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

The Planning Development Manager reported that full planning permission has been granted on the site under a previous application which was approved in 2010. Since then a footway has been partly completed and two of the four dwellings are currently under construction. An application to vary a condition in relation to the approved plans in order to amend the design of the four dwellings was approved in February, 2018. As part of the conditions placed on consent at the time the developer was required to submit within 2 months of the permission, details of the design and construction of the proposed foul and surface water drainage systems and how these would be managed and maintained. The developer is now applying to extend the timescale to 3 months but also to present the required details at the same time as the application. Those details have been submitted and have been assessed as acceptable by the relevant agencies.

The Officer clarified that the report is presented to the Committee because as a Section 73 application it is in effect a new application, and the proposal for the erection of a dwelling in this location being partly outside the development boundary, is contrary to

current planning policies. But due to the fall-back position provided by the extant planning permission which is in the process of being effected, the recommendation is to approve the application.

Councillor Dafydd Roberts proposed that the application be approved in accordance with the Officer's recommendation. The proposal was seconded by Councillor Vaughan Hughes.

It was resolved to approve the application in accordance with the Officer's recommendation and written report subject to the conditions contained therein.

10.2 28C257D/VAR – Application under Section 73 for the variation of condition (11) (approved plans) of planning permission reference 28C257C (demolition of existing building together with the erection of a new dwelling) so as to amend the design of the dwelling together with variation of conditions (02) (surface water soakaway system), (09) (no surface water to drain onto the highway) and (10) (Traffic Management Plan) so as to provide the necessary details as part of the current application on land adjacent to Bryn Maelog, Llanfaelog

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

The Planning Development Manager reported that full planning permission has been granted on the site under a previous application to demolish the existing building and erect a new dwelling approved in July, 2017. The application under consideration is to vary the conditions as described. The proposed design amendments include a single garage with a slate pitched roof to be located to the North West of the site instead of a flat roof double car port to the East of the site; a small increase in the size of the ground floor utility; minor changes to windows and the re-location of the main dwelling to incorporate the new location of the garage. Overall the changes made to the dwelling are deemed minor in nature and will not affect adjacent residential properties any more than the previously approved planning permission. Details of drainage and traffic management plans have been submitted with the application under consideration and are acceptable. Although the proposal is contrary to current planning policies, the Officer's recommendation is to approve the application since the extant planning permission for a dwelling provides a fall-back position and the amended design is an improvement on the previously approved scheme.

Councillor Richard Dew, a Local Member spoke to confirm that he supported the proposal.

Councillor Kenneth Hughes proposed that the application be approved in accordance with the Officer's recommendation; the proposal was seconded by Councillor Bryan Owen.

It was resolved to approve the application in accordance with the Officer's recommendation and written report subject to the conditions contained therein.

11. DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

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

12. REMAINDER OF APPLICATIONS

12.1 12LPA1003F/FR/CC – Full application for the installation of two pipes in connection with the Beaumaris flood alleviation works at the Bowling Green, Beaumaris

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

The Planning Development Manager reported that the application is for the installation of two pipes in connection with the flood alleviation works in Beaumaris. The total length of the culverts is approximately 380 metres and they will be buried at a depth of between 2 and 3 metres below the existing ground level. The majority of the works will be underground and therefore not visible; this being so it is not considered the proposal will affect the conservation of the AONB's natural beauty, features or special qualities related to visual effects. The revised scheme is considered to be a considerable improvement on a previously approved proposal for flood alleviation works in Beaumaris. Specialist internal and external consultees have assessed the proposed development in relation to the Special Area of Conservation, Site of Special Scientific Interest and Special Protection Area and raise no objections subject to conditions. The application is therefore recommended for approval.

Councillor Vaughan Hughes proposed that the application be approved in accordance with the Officer's recommendation; the proposal was seconded by Councillor John Griffith.

It was resolved to approve the application in accordance with the Officer's recommendation and written report subject to the conditions contained therein.

12.2 42C6N – Full application for the siting of 15 holiday chalets, construction of a new vehicular and pedestrian access together with associated works at Tan y Graig, Pentraeth

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

The Chair reported that Local Member Councillor Margaret M. Roberts is requesting that the application site be visited because of the potential effects of the proposed development on the locality, on language and also on traffic.

Councillor Vaughan Hughes proposed that a site visit be undertaken; Councillor Trefor Lloyd Hughes seconded the proposal.

It was resolved that the application site be visited in accordance with the Local Member's request for the reasons given.

12.3 42C188E/ENF – Retrospective application for the erection of a new build holiday letting unit at 4 Tai Hirion, Rhoscefnir

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

The Chair reported that Local Member Councillor Ieuan Williams is requesting that the application site be visited on the basis that although recommended for refusal, the report states that the scheme is considered acceptable in its location resulting in no harm to the amenities currently enjoyed by occupants of the surrounding properties.

Councillor Eric Jones proposed that a site visit be undertaken; Councillor Robin Williams seconded the proposal.

It was resolved to that the application site be visited in accordance with the Local Member's request for the reason given.

12.4 45C489/LB – Listed Building Consent for internal and external works to the cottages at Llanddwyn Island, Newborough

The application was reported to the Planning and Orders Committee as it for works to a listed building in the ownership of the County Council.

The Planning Development Manager reported that the proposed works are minor in nature and are in preparation for a documentary which seeks to recreate living conditions in the cottages at the turn of the century. The proposal is considered acceptable in the context of the listed buildings and the works are capable of being reversed thereby restoring the cottages to their present day condition.

Councillor Robin Williams proposed that the application be approved in accordance with the Officer's recommendation; the proposal was seconded by Councillor Eric Jones.

It was resolved to approve the application in accordance with the Officer's recommendation and written report.

13. OTHER MATTERS

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

**Councillor Nicola Roberts
Chair**