

Planning and Orders Committee

Minutes of the meeting held on 2 October 2019

- 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 and
Robin Williams.
- IN ATTENDANCE:** Development Management Manager (NJ),
Planning Assistants (MO) (DR),
Development Control Engineer (JAR),
Legal Services Manager (RJ),
Committee Officer (MEH).
- APOLOGIES:** Councillor Dafydd Roberts.
- ALSO PRESENT:** Local Members: Councillors Aled M Jones (application 7.1); Dylan
Rees (application 12.1).
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1 APOLOGIES

As noted above.

2 DECLARATION OF INTEREST

Councillor Nicola Roberts declared a personal and prejudicial interest with regard to application 12.1 on the agenda.

3 MINUTES

The minutes of the previous meeting of the Planning and Orders Committee held on 4 September, 2019 were presented and confirmed.

4 SITE VISITS

The minutes of the planning site visits held on 18 September, 2019 were confirmed.

5 PUBLIC SPEAKING

There was a public speaker in respect of application 10.2.

6 APPLICATIONS THAT WILL BE DEFERRED

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

7 APPLICATIONS ARISING

7.1 FPL/2019/1 – Full application for the conversion of building into seven flats together with the creation of a new vehicular access at Carmel Chapel, Chapel Street, Amlwch

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

At the meeting of the Planning and Orders Committee held on 4 September, 2019 it was resolved to visit the site and subsequently the site was visited on 18 September, 2019.

Councillor Aled M Jones, a Local Member said that there are 10 letters of objections from local residents as regards to this development due to the adverse effect it will have on the area. He noted that the developer has indicated within Section 11 of his application that there is no need 'for diversion, extinguishments and/or creation of rights of way' it is considered that this is a material consideration as regards to the application site. The Development Management Manager responded that the Section 11 of the planning application forms refers to public and not private rights of way. Councillor A M Jones further said that this application requires a number of parking spaces with a requirement to have access to the rear of the building and it was evident on the site visit that the area is narrow and there is no access through the field to the other side of the former chapel to the rear of the building. He noted that whilst it is a civil matter as regards to the demolition of a boundary wall, it is impossible to gain access to the rear of the chapel. He further said that the developer has removed railings in front of the former chapel without planning consent. Councillor Jones said that the development of this former chapel will have a detrimental effect on neighbouring properties and concerns have been expressed to the traffic travelling to and from the development. He asked the Committee to refuse the application.

The Development Management Manager reported that the proposed development is for 7 flats at the former Carmel Chapel, Amlwch which is a Grade II Listed Building. The application is acceptable within planning policy terms and will provide a commuted sum towards affordable housing. The proposed development will restore a Grade II Listed Building which is in a poor state following being vacant for almost 15 years. The boundary of the Conservation Area was extended in order to include the building in the Amlwch area. A Listed Building Consent has already been afforded for the change of use of the Chapel. As the Education Authority has confirmed that no educational contribution is required but a commuted sums is required towards affordable housing as part of the proposal; a S106 agreement would need to be signed as regards to affordable housing contribution. The Development Management Manager further said that local concerns have been expressed as

regards to the parking as part of the proposed development due to extensive traffic that already exist; the application affords 11 parking spaces and the vehicle access and parking arrangements are considered satisfactory by the Local Highways Authority. She noted that Condition 5 as part of any approval of the application requires that the parking provision is completed before any commencement of the development.

It was noted that during the site visit it was evident that works have begun on the site and Enforcement Officers have visited the site but no works have been undertaken that needed planning consent. A Certificate B has been submitted by the applicant and appropriate notice has been given to the neighbouring landowner but there is a dispute as to land ownership between the interested parties. The Development Management Manager said that a further 2 letters of objection have been received but it is considered that no matter has been raised that has not been already addressed within the Officer's report.

Councillor John Griffith expressed that he had concerns as regards to parking facilities as regards to this development. The Development Control Engineer responded that there is adequate parking provision on the application site which complies with maximum standards which the Highways Authority requires. Councillor John Griffith ascertained whether lighting provision could be enforced on the parking area. The Development Management Manager responded that the building is Listed Building and any condition as regards to lighting would need to conform with Listed Building consent.

Councillor Robin Williams proposed that the application be approved and Councillor John Griffith seconded the proposal.

Councillor T LI Hughes abstained from voting as he was not on the site visit.

It was RESOLVED to approve the application in accordance with the Officer's recommendation subject to the conditions contained within the written report and subject to a S106 agreement as regards to affordable housing.

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 FPL/2019/201 – Full application for the erection of a dwelling on land adjacent to Tegfan, Llanynghenedl

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 Development Management Manager reported that an application was originally approved in the 1960's for an open market dwelling. However, if a new application was submitted a Welsh language statement would need to be submitted but there is a fall-back position in respect of this application for an open market dwelling and therefore it is not considered that a Welsh language statement is required. It is considered that the previous application is likely to be implemented and the amendments are an improvement to that previously approved.

Councillor Kenneth P 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 VAR/2019/49 – Application under Section 73 for the variation of condition (11) (Drainage Scheme) of planning permission reference 46C168A/FR (Erection of dwelling) and the subsequent reserved matters application reference 46C168D/DA so as to allow the foul water from the dwelling to be discharged to a treatment plant on site instead of the public sewer system on land adjacent to Trearddur House, Trearddur Bay

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.

Public Speaker

Mr Steve Bond (in support of the application) said that the application proposes the use of a self-contained treatment plant in lieu of a main sewer connection. The variation is due to the impracticality of making a connection to the main sewer that is located in the football field some 40 metres to the south and inland owned by a third party. In order to connect to the existing foul sewer a new branch connection from the plot would be required to cross the existing watercourse that skirts the edge of the football field. Discussion with Welsh Water highlighted they had concerns about the risk of any new branch connection being damaged and leading into the watercourse causing contamination. As a result Welsh Water required a significant engineering solution at a cost which is regarded as impractical and unfeasible for a single house development especially when added to the cost of the length of the drain and the cost to secure the easement off the third party landowner. This cost information has been submitted and accepted by both the Planning Authority and Natural Resources Wales. The proposal is to use a Klargest treatment plant which once the effluent is treated the discharged water is free

from all foul contaminants thus allowing it to discharge into a stream, river or soakaway. The Drainage Department has approved the porosity tests undertaken on site and are satisfied with the proposed use of a treatment plant and both the treatment plant and soakaway are to be contained within the applicants land. In addition, there will be no impact on neighbouring properties and the intended positioning of the plant meets all regulations and if approved it will be installed in full compliance with Building Regulations and Natural Resources Wales' requirements.

He further said that the unit comes with a 'fail safe' warning system to alert the householder immediately if any problem is detected with the unit and whilst there is still spare capacity in the tank. Annual servicing would also be undertaken to satisfy Natural Resources Wales. There is less risk of contamination of the land and adjacent watercourse using the proposed treatment plant than if a mains connection were to be installed crossing the existing watercourse. Mr Bond said that contrary to objections raised as regards to the application the proposed change to a treatment plant under such circumstances is in full compliance with current national planning policies.

The Development Management Manager reported that national planning policies states that areas which are served by public sewers residential developments should connect to the main sewers. However, due to the costs to the developer by connecting to the mains and having to connect through a third party landowner it is justified for the need for the installation of a package treatment plant and NRW has confirmed that they do not object to the variation of the condition. There have been objections locally as regards to the foul water soakaway and the effect on drainage of neighbouring properties; the developer has amended the application and the location of the sewage treatment plant complies with regulations. The Drainage Section and Building Regulations Section have confirmed that the amended location of the treatment plant is acceptable. The Officer said that the wording of Condition 8 as regards to the treatment plant needs to be amended as a maintenance plan needs to be submitted and approved before any use is made of the drainage system. It was noted that the application is contrary to Policy TAI 5 of the Joint Local Development Plan, but the fall-back position is that the application site has an extant planning permission; it is considered that there is also no detrimental impact on the Listed Building located within the curtilage of the application site. The recommendation was of approval of the application.

Councillor Robin Williams proposed that the application be approved and Councillor Kenneth P 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 to amend Condition 8 that a maintenance plan be submitted and approved.

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

11.1 HHP/2019/190 – Full application for alterations and extensions to form a self-contained annexe at Bryn y Môr, Bryn y Môr Road, Valley

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

The Development Management Manager outlined the application to the Committee and said that it is not considered that the proposal will impact on the AONB.

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 REMAINDER OF APPLICATIONS

12.1 OP/2019/5 – Outline planning application for the demolition of the existing buildings together with the erection of 52 affordable dwellings with associated developments together with full details of the vehicular access on land adjacent to Huws Gray, Bridge Street, Llangefni

The Chair, Councillor Nicola Roberts declared a personal and prejudicial interest in the application but spoke as Local Member. She left the meeting during discussion and voting thereon. The Vice-Chair took the Chair for this application.

The application was presented to the Planning and Orders Committee as the application site is located on Council owned land.

The Local Members, Councillors Dylan Rees and Nicola Roberts requested that the application site be visited as the planning application is substantial and there has been some local concerns as to overlooking, proximity, traffic management and mitigation measures.

Councillor Eric W Jones proposed that the site be visited and Councillor Bryan Owen seconded the proposal.

It was RESOLVED to visit the site for the reasons given.

12.2 FPL/2019/200 – Full application for the erection of fencing at Pentraeth Primary School, Tanrallt Road, Pentraeth

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

Councillor Robin Williams 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.

12.3 FPL/2019/226 – Full application for the siting of three holiday chalets, formation of a new access track, amendments to an existing access together with the installation of a new treatment plant on land at Fronwen, Newborough

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

The Development Management Manager outlined the application to the Committee and gave the planning history of a previous application that was refused. She noted that a further letter of support was received in respect of this application. The applicant has submitted amendments to the vehicular access so as to address the third reason for refusal of the previous application. The height of the proposed holiday chalets have also been reduced. However, the location and the siting of the holiday chalets has not been modified and are within a prominent position on the site and without any nearby facilities. The recommendation was of refusal.

Councillor Bryan Owen said that the site lies on the main road between Pentre Berw and Newborough and near the Tacla Taid tourist facility. He said that the area is a tourist attraction with Llanddwyn Beach nearby; the facilities are all within walking distance to local villages. Councillor Owen expressed that such a proposal at Fronwen is what tourist require and further said that there is no objection locally to the application nor by the Rhosyr Community Council.

Councillor K P Hughes proposed that the application be approved contrary to the Officer's recommendation as such a facility for tourist is important to the area and the Island. Councillor Eric W Jones seconded the proposal.

Councillor John Griffith proposed that the application be refused and Councillor Nicola Roberts seconded the proposal.

Councillor T LI Hughes proposed that the application site be visited to ascertain whether the application conforms with planning policy TWR3. Councillor R O Jones seconded the proposal.

Following the vote it was **RESOLVED to visit the site for the reasons given.**

13 OTHER MATTERS

13.1 FPL/2019/57 – Full application for the erection of 46 dwellings together with the creation of a new vehicular access on land adjacent to Parc Tyddyn Bach, Holyhead

The Development Management Manger reported that planning approval was afforded as regard to this application in May 2019 subject to the completion of a legal agreement. In the course of preparing the legal agreement amended landscaping details have been received and it is necessary to report the application back to the Planning and Orders Committee. She gave background details of the application as regards to landscaping and planting of trees at the original planning application presented. Concerns have been raised that it is not possible to carry out the planting of trees in accordance with the plan presented to the Planning Authority due to the location of a ditch. Therefore, amended landscaping details have been presented that the planting of trees will now be within the gardens of the new dwellings and fences be erected on the boundary together with hedges and reseeded. The Development Management Manager said that the amended landscaping details are considered acceptable but the publicity period in which members of the public can make representations does not expire until the 9th October, 2019 and delegated power to grant planning permission upon the expiry of this period is required. One objection has been received that the proposed hedge would not grow to the required height and that the gardens of the dwellings needs to be set back by 1 metre. The objector also expressed that there is inadequate space to carry out maintenance of the nearby ditch and also requested that a fence needs to be erected during construction on site. The Landscaping Officer has confirmed that the amended landscaping details is acceptable and the Drainage Section considers that the planting plan does not impair on the maintenance of the nearby ditch. She noted that the distance from the houses is greater than is expected within the planning guidelines and Condition 13 within the Officer's report addresses erection of fences during construction of the development and a Construction Environmental Management Plan will need to be submitted and approved before commencement of the development.

The Development Management Manager reported that the recommendation is for the Planning and Orders Committee to reaffirm its decision of approval of the application with a S106 legal agreement as noted within the Officer's report and to include the amended landscaping details proposed.

Councillor Robin Williams proposed that the application be approved and Councillor R O Jones seconded the proposal.

It was RESOLVED :-

- **to approve the application subject S106 legal agreement as noted within the report and to include the additional landscaping of the site within the legal agreement;**

- to grant the Officer's power to act following the statutory public consultation period coming to an end.

**COUNCILLOR NICOLA ROBERTS
CHAIR**