

PLANNING AND ORDERS COMMITTEE

Minutes of the virtual meeting held on 13 January, 2021

- PRESENT:** Councillor Nicola Roberts (Chair)
- Councillors Glyn Haynes, Trefor Lloyd Hughes MBE, Kenneth Hughes, Vaughan Hughes, Eric Wyn Jones, Bryan Owen, Dafydd Roberts, Robin Williams
- Local Members: Councillors Aled M. Jones (application 7.2), Llinos Medi (application 7.3). R.G.Parry, OBE FRAGS (application 12.2), Alun Roberts (application 12.1), Margaret Roberts and Ieuan Williams (application 7.1)
- IN ATTENDANCE:** Development Management Manager (NJ)
Planning Officer (JR)
Development Management Engineer (Highways) (JAPR)
Legal Services Manager (RJ)
Committee Officer (ATH)
- APOLOGIES:** Councillors John Griffith and Richard Owain Jones
- ALSO PRESENT:** Councillor Richard Dew (Portfolio Member for Planning and Public Protection), Councillors G.O.Jones, Bryan Owen, Mr Gareth Wyn Williams (Local Democracy Reporter)
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1. APOLOGIES

The apologies for absence were noted as listed above.

2. DECLARATION OF INTEREST

No declaration of interest was received.

3. MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting of the Planning and Orders Committee held on 2 December, 2020 were presented and were confirmed as correct.

4. SITE VISITS

The minutes of the virtual site visit held on 16 December, 2020 were presented and were confirmed as correct.

5. PUBLIC SPEAKING

Representations made by an objector and a supporter with regard to application 7.1 and by a supporter with regard to application 7.2 were read out in full at the meeting.

6. APPLICATIONS THAT WILL BE DEFERRED

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

7. APPLICATIONS ARISING

7.1 FPL/2019/217 – Full planning application for the erection of 17 affordable dwellings, construction of two new vehicular and 3 new agricultural accesses, installation of a pumping station together with soft and hard landscaping on land adjacent to Craig y Don Estate and Cherry Tree Close, Benllech

The application was reported to the Planning and Orders Committee having been called in for the Committee's determination by two of the Local Members. Welsh Government Ministers had received a request to call-in the application for their own determination and the application had previously been deferred pending this decision. Welsh Government Ministers had now reviewed the application and decided not to call it in.

The Legal Services Manager read out a statement by Tom Woodward, a resident of Craig y Don Estate in opposition to the application as follows -

Thank you for the opportunity to comment directly to the Planning Committee, although those of you who have read all the objection letters may already be aware of some of the points I am making.

I would like to point out that the information supporting the application is not correct due to it being used by the Developer to support another affordable home development in the village of Benllech of 27 homes which was passed several months ago by yourselves. Thus, the demand forecast is incorrect.

This proposed development is outside the current development plan area and is being built on an AONB. I realise that there are allowances for small developments to take place outside the Local Development Plan, but there is no definition of small or the maximum development that could be undertaken in these instances. It is open to interpretation in different locations. This is not planning but the erosion of boundaries.

The number of properties sought originally was 29, this has suddenly dropped to 17 – Why? If the supporting data for the application was correct requiring 29 affordable homes how can it suddenly reduce to 17? Probably because the discussions being undertaken by the applicant with Planning Officers reveals that 29 was too big to meet the TAN2 ill-defined SMALL definition, so make a reduced development application to ensure that some development is allowed and open the way for additional units at a later date.

The developer plans to provide more field access points than the farmer previously enjoyed, each gate with a tarmacked road to the field gates. The revised drawings for the 17 properties reveal a total of 3 field accesses, labelled for farm use, but it seems quite obvious, again, that the ultimate objective of this planning application, if successful, is to allow extension of the development at some future date.

With the increase in housing of the area of the new planning that has been passed, I am led to believe that we will exceed the Local Development Plan by over 60%. Our local services and facilities are going to be further stressed with those dwellings already given planning permission plus this application.

Presumably the occupants of these affordable homes will be families with youngsters and teenagers but there is nothing for them to do, there is one small playground in the village supposed to be used by children up to about 9; this is maintained by the Community Council who are forever having to replace the rubberised "fall safe" material under the play

equipment. We did have another playground behind Maes Goronwy but due to dereliction was turned into allotments by the Council.

Where will these families find jobs? There are only holiday and a few local service jobs available in the village so these newcomers will have to travel either towards Bangor or Llangefni and thereby create more carbon emissions. The aim of the Welsh Government, and the Council is to reduce carbon emissions, most of these journeys will be by car and increase traffic exiting the Craig y Don Estate. The access onto the A5025 from Craig y Don is dangerous and traffic on it is generally exceeding the speed limit made more hazardous by the presence of a bus stop within 30 yards of the Craig y Don exit. There have been several near misses but fortunately, so far, no injuries.

I believe that this development is not required, ill-conceived, will spoil the village and is trying to hoodwink the Committee into granting permission. I therefore trust that the Committee will turn down this application.

The Legal Services Manager then read out the following statement by Caulmert (Engineering, Environmental Planning), Agent to the applicant in support of the application –

I write as Agent acting on behalf of the applicant, Clwyd Alyn Housing Association, for the above mentioned planning application which is before you today. The purpose of this representation is to discuss the significant benefits the proposed application will bring.

The application is for the erection of no. 17 affordable dwellings together with associated development including new accesses, internal estate roads, pumping station and soft/hard landscaping.

As discussed with the Planning Officer's committee report, the proposed development is supported by Policy TAI 16 of the Joint Local Development Plan by virtue that the proposal is to provide 100% affordable housing and is adjacent to the Benllech development boundary.

It has been confirmed by statutory consultees that there is a significant need for the number of affordable houses proposed within the development. The Joint Planning Policy Unit together with the Planning Officer have supported the submitted Alternative Sites Assessment which confirms that there are no other available suitable sites which can provide this level of affordable homes either within, or adjacent to, the development boundary of Benllech.

The proposed development is within the Anglesey Coastal AONB and sits partly within the designated Cors Efail Newydd Local Wildlife Site. For the avoidance of doubt the proposed development would result in the loss of approximately 13.5% of the wildlife site.

At this juncture it is important to note that the designation of the Local Wildlife Site upon the development site was imposed as a result of the adoption of the Joint Local Development Plan. Since the adoption of the JLDP there has been no additional guidance or enhancement plans set out by the Council on how the Wildlife Site should be managed and/or maintained.

As a result, the Wildlife Site has had no formal management to date and this will continue in perpetuity if no mechanism for the management of the site is secured. As discussed within the committee report it is understood that the Local Authority has no power available to enforce any retention or management of the site and as such the Wildlife Site may continue to deteriorate without any intervention.

Surveys undertaken by the applicant's ecologist indicates that the overall Wildlife Site is degrading and will continue to do so under the current management. The surveys also indicate that the areas which will be lost as a result of the proposed development are of lesser ecological value with minimal habitat for the listed species of the Wildlife Site compared to the Wildlife Site as a whole.

The applicants have worked hard with the current landowners of the local Wildlife Site in order to prepare and secure a high level Conservation and Management Strategy for the Local Wildlife Site should permission for the proposed development be granted. The aim of this strategy is to enhance the Wildlife Site by securing a strategy for management and maintenance of the site which would not otherwise be available. Measures to be included within the strategy include the management of willow, grazing of the site in a responsible manner and the survey, reporting and monitoring of the site to ensure ongoing enhancement is effective. It is considered that this strategy, over time, will reverse the degradation of the Wildlife Site seen over the last few years and will enable this site to thrive in the future. The proposed strategy is supported by Natural Resources Wales and Gwynedd Council's Ecologist.

We agree with the Planning Officer's assessment that there is an identified need in Benllech for affordable dwellings with no alternative sites within the development boundary which can be delivered in a reasonable timescale to address the need. Given due weight to this fact together with the mitigation and enhancement measures being proposed which will improve the unmanaged wildlife site, on balance it is considered there is an overriding social need for the proposed development.

With relation to the proposed development being located within the AONB, currently the AONB in this part of Benllech is bounded by residential curtilages along Craig y Don and Cherry Tree Close. This boundary is ad-hoc in nature and contains many utilitarian and domestic in nature features such as garden sheds, timber fencing etc. The proposed development includes for the provision of significant boundary treatment and landscaping across the entire length of the site's boundary which will result in an improved and enhanced boundary between the built form of the development boundary and AONB/open countryside when viewed from within the AONB. This is a view supported by NRW and the Council's AONB Officer during the consultation responses who both offered no objection.

The ambition of the Welsh Government to increase supply and shorten the timescales for delivery of more housing across Wales, remains a high priority. The acute shortage of affordable housing is growing. Clwyd Alyn are supportive of this planning application and consider Benllech as strategically important in an area of high need for affordable homes and where opportunities are limited in this area of popular choice.

Clwyd Alyn propose to deliver these homes through the Affordable Tenure method in line with Council Policy for Exception Sites and a Local Lettings Policy will be put in place with the details of such Policy agreed with the Local Authority. This will ensure that local people have access to these properties and the benefits of such for the future of the community.

Clwyd Alyn construct properties to a very high standard of thermal efficiency and follow the Welsh Government agenda of supplying low carbon properties, along with the sustainable drainage system on the estate. Taking also into account the improvements to the mitigation and enhancement measures to the wildlife site, we feel that the Committee should recommend its support to this proposal.

Councillor Margaret Roberts, a Local Member in emphasising that she was supportive of affordable housing in principle given that local people are so often priced out of their own communities, said that she did however believe that seeking to deliver affordable housing on

any available land is a false step and risks creating ghettos in places where there are little or no facilities for them. The proposed development is located on wet marsh land and with increasing rainfall this could be problematic; the development is also outside the boundary of Benllech and according to the strategy, should therefore not take place. She had on many occasions highlighted traffic and over-development issues in and around Benllech which problems are not going to be helped by this proposal and when added to a previously approved development of affordable housing in the area which she did support, she believed the current proposal to be a development too far especially as there are only 11 vacant places available at the local school. She felt that there had to be better cross service discourse about such developments – if there is insufficient capacity in the local school then proposals for housing for families are not practical. At 4 miles distance and with spare capacity in the school Moelfre is very much in need of affordable housing as so many of its properties are second homes making it unaffordable for local families to live in the village. Affordable housing is needed but should be in the right place. In making her comments Councillor Roberts said that she hoped the Committee would support a site visit to better appreciate the issues which she had highlighted.

Councillor Trefor Lloyd Hughes proposed, seconded by Councillor Robin Williams that a virtual site visit be conducted in accordance with the Local Member's request. The Committee supported the proposal.

It was resolved that a virtual site visit be conducted.

7.2 FPL/2019/322 – Full application for the conversion of a church into a dwelling together with the construction of a new vehicular access at Christ Church, Rhosybol

The application was reported to the Planning and Orders Committee having been referred to the Committee for determination by a Local Member. At the Committee's December, 2020 meeting, it was resolved that a site visit was required. A virtual site visit was undertaken on 16 December, 2020.

The Legal Services Manager read out a re-development statement by William Morris, the applicant as follows –

I hope this statement finds you all well.

I love this beautiful building and desperately want to retain its beauty for all. When I purchased this building there were only gutters on a small section of roof and many leaks to the roof itself. The windows were all boarded up and some smashed. I have installed new gutters, sealed the leaks and protected the beautiful windows with Perspex sheeting, vastly improving the view of the church for all. With planning permission I will be able to refurbish and maintain it for good.

Having discussed the redevelopment with several neighbours and visitors to the cemetery, all feedback had been very positive. It was a great shock and very upsetting to hear that there were people who had concerns. I want to reassure everybody, I am sympathetic to their concerns and in this refurbishment I seek the benefit of all.

I believe concerns were raised about access to the graveyard and the general idea of having a house within a graveyard. I would like to address these concerns here:

- *Visitor access to the graveyard will be maintained and improved by the widening of the gate and providing provision for 1 car to park. The space will be available to any visitors should they wish to park off the road. This would make access easier and safer for disabled and elderly visitors.*

- *Although I understand why some would have concerns about a house in a graveyard. I myself am at peace with the idea. I am a very respectful person and when I am around the property I tidy up litter from the graveyard and trim the bushes and mow the grass. If there is anything I can do to help demonstrate this I would be more than happy to oblige.*

Whilst always respecting the character of the property my aim is that the development would encourage a prosperous, healthy and safe community by bringing back to life this derelict building and retaining its beauty for future generations in line with the Well-being of Future Generations (Wales) Act 2015, and the single integrated plan for Anglesey.

Through the use of solar panels on the south elevation of the roof of the building carbon management will minimise the non-renewable energy usage and embody the spirit of the Anglesey energy island programme whilst also ensuring sustainability of the building. An electric vehicle charging point will be installed with a view to the sustainable future of Anglesey.

This development will meet the highest quality and design standards. Whilst being energy efficient, this refurbishment will renew this unique building to a permanent locally distinctive quality place rather than leaving it to fall into further disrepair.

The church has been derelict for over 20 years. I believe it would be unsustainable and really sad to prevent development and leave it as a derelict structure to eventually collapse.

It is with the greatest respect that I ask you to please grant planning permission.

Councillor Aled Morris Jones, a Local Member said that there was great concern locally about the development specifically with regard to the graves being so close to the church building on all sides and he knew that the Community Council and fellow Local Member, Councillor Richard Griffiths oppose it. The proposed turncircle facility which is meant to enable parking is especially close to one of the graves. This cannot be properly appreciated from the scheme plan. Councillor Jones referred to the policies in relation to sustainable development, community facilities, design and landscape and highway access which apply in this case and said that he did not believe the proposed development meets design and highway access requirements as it is not possible to create a residential dwelling on this site without interfering with the graves. Converting the church building into a dwelling will generate greater use added to which visitors will want to attend existing graves. He was surprised that the Church in Wales had not contacted the Community Council nor the Local Members which he understood was supposed to happen under canon law. Whilst he respected the developer's statement, he the developer had also alleged that people were supportive of the application when they were not. Councillor Jones asked the Committee to have regard for those buried in the graveyard which is still in use, and also for an area of grass land on site which is believed to hold unmarked graves. He asked the Committee to reject the application on design and highways grounds so that those laid to rest in the churchyard can remain undisturbed and the concerns of their families regarding this development can be allayed.

The Development Management Manager reported that the application which is to convert a redundant church building into a dwelling does include access for vehicles and a turncircle parking area at the front of the church which has been introduced in response to local concerns about traffic issues. Detailed drawings of the turncircle have been submitted which include a cross section showing that the structure will be 100mm under ground level. Consequently, it is not considered that this will have a detrimental impact upon existing graves. The amended plan which includes the turncircle is acceptable to the Highways Authority subject to conditions. Likewise, amended plans have been received with respect to the design of the building; these reduce the proposed size of the roof windows and obscure

two of the first floor windows to minimise overlooking of the closest neighbouring dwelling. Although objections from the locality have been received relating to sensitive matters as indicated by the Local Member, the proposal does not prevent continued access to family graves within the churchyard and further, it proposes an effective use of a building that has not been in use for many years and which as a result has fallen into disrepair; as such it is reflective of planning policies. An area of land within the site covering approximately 140 square metres to the south east is proposed as amenity land – supplementary planning guidance requires that 30 square metres be provided as amenity space. The proposal is therefore considered acceptable and the recommendation is one of approval.

In the interests of clarity Councillor Aled Morris Jones re-emphasised that the graveyard remains in use for burials.

In the ensuing discussion, many of the Committee's members commented that they found the application a difficult one to deal with because of the idea of situating a house within a graveyard, and, although several Members had reservations about the proposal due to the proximity of the graves to the church building to be converted they did not believe refusal could be justified on planning grounds. Some concerns were also expressed with regard to the practicalities of the vehicle turncircle and assurance was sought that the structure would not impede nearby graves. Members suggested that no development should take place until the turncircle and access have been constructed.

The Planning Development Management Manager confirmed that condition (03) addresses those concerns in requiring that no other part of the development shall begin until the access and car parking accommodation have been completed in line with approved plans.

Councillor Trefor Lloyd Hughes, MBE proposed, seconded by Councillor Dafydd Roberts that the application be approved on that understanding.

It was resolved to approve the application in accordance with the Officer's recommendation and report subject to the planning conditions contained therein (Councillor Robin Williams did not vote on the matter as he had missed part of the discussion due to connection issues).

7.3 FPL/2020/166 – Full application for the conversion of outbuildings into 4 Holiday Units at Cymunod, Bryngwran, Holyhead

The application was presented to the Planning and Orders Committee at the request of a Local Member. At its meeting held on the 2 December, 2020, the Committee resolved to approve the application contrary to the Officer's recommendation because it deemed the application site to be in a sustainable location.

Councillor Llinos Medi, a Local Member spoke to confirm that she did not wish to add to or repeat the representations she had made at the Committee's previous meeting in support of the application and that nothing had changed in the meantime.

The Development Management Manager reported that it remains the Officer's viewpoint that the application site in open countryside is not in a sustainable location. The proposal in not being entirely accessible by non-car modes of transport would be highly dependent on private car use and would lead to a significantly increased number of trips by private car to this location. In being car dependent the proposal would not minimise the need to travel and as such is contrary to local and national policies and guidance. The recommendation is still one of refusal.

The Committee's members indicated that they were not persuaded by the Officer's report and that they remained of the view that the proposal is acceptable in planning terms. Councillor Kenneth Hughes also a Local Member said that for his part he believed the cooling off period had served to confirm that the Committee had in its previous meeting made the right decision in this case which will enable a family with the desire, experience and opportunity to provide a purposeful service of highest quality to those with acute physical needs.

Councillor Robin William proposed, seconded by Councillor Eric Jones that the Committee reaffirms its previous approval of the application contrary to the Officer's recommendation.

It was resolved to reaffirm the Committee's previous decision to approve the application contrary to the Officer's recommendation for the reason given.

8. ECONOMIC APPLICATIONS

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

9. AFFORDABLE HOUSING APPLICATIONS

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

10. DEPARTURE APPLICATIONS

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

11. DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

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

12. REMAINDER OF APPLICATIONS

12.1 TPO/2020/13 – Application to fell trees protected by a Tree Preservation Order at Cae Isaf, Llansadwrn

The application was reported to the Planning and Orders Committee as the County Council's Highways Authority is the applicant.

The Development Management Manager reported that the application is made by the Council in order to facilitate proposed minor flood alleviation works that will replace the existing collapsed stone culvert in the lane with plastic pipe as well as clearing the drainage ditch adjacent to the lane. The subject trees exhibit features of decline and habitat commensurate with mature trees; a replanting plan to address the loss of amenity has been submitted and will be a condition of consent. It is considered therefore that the justification for the felling is clear, adverse effects on amenity acceptable and can be reduced through the planting of replacement trees on site.

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

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

12.2 FPL/2020/150 – Full Application for the erection of 9 dwellings together with associated development on land at Bridge Street, Llangefni

The application was reported to the Planning and Orders Committee as it is partly on Council owned land. The application has also been called in for the Committee's determination by a Local Member.

Councillor Nicola Roberts, who was also a Local Member in this case proposed that a virtual site visit be conducted due to local concerns regarding traffic and drainage issues. The proposal was seconded by Councillor Kenneth Hughes.

Councillor Robin Williams in explaining that he had not been able to be present at the virtual site visit conducted following the Committee's December, 2020 meeting highlighted how helpful the recording of the meeting had been to him and he proposed that all virtual site visits carried out by the Committee are recorded as a matter of practice. The proposal was seconded by Councillor Nicola Roberts and was supported by the Committee.

It was resolved –

- **That a virtual site visit be conducted by the Committee in the case of the application.**
- **That all virtual site visits conducted by the Committee be recorded as a matter of practice.**

12.3 MAO/2020/22 – Minor amendments to the scheme previously approved under planning permission 19LPA1025E/CC/VAR so as to add a condition for the development to be in accordance with the approved plans together with amendments to the design, siting and construction material of the bin store and cycle stands at Market Hall, Stanley Street, and Holyhead

The application was reported to the Planning and Orders Committee as the Isle of Anglesey County Council is the applicant and landowner.

The Development Management Manager reported that the application is for non-material amendments to the previously approved scheme so as to add a condition for the development to be in accordance with the approved plans and to amend the design, siting and construction material of the bin store and cycle stands so that the former can accommodate 3 bins instead of 2 and the latter can accommodate 6 instead of 3 bicycles.

Councillor Robin Williams proposed, seconded by Councillor Kenneth Hughes that the application be approved in accordance with the Officer's recommendation.

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

13. OTHER MATTERS

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

**Councillor Nicola Roberts
Chair**