

# PLANNING AND ORDERS COMMITTEE

## Minutes of the meeting held on 4 December, 2013

- PRESENT:** Councillor W.T.Hughes (Chair)  
Councillor Ann Griffith (Vice-Chair)
- Councillors Jeff Evans, Lewis Davies, John Griffith, Kenneth Hughes, Vaughan Hughes, Victor Hughes, Raymond Jones, Richard Owain Jones, Nicola Roberts.
- IN ATTENDANCE:** Planning Development Manager (DFJ)  
Planning Assistants  
Senior Engineer (Development Control) (EGJ)  
Development Control Officer (Highways) (RE)  
Legal Services Manager (RJ)  
Committee Officer (ATH)
- APOLOGIES:** None
- ALSO PRESENT:** Local Members: Councillors Richard Dew (application 7.4), Trefor Lloyd Hughes (application 8.1), R.Llewelyn Jones (application 7.3), Peter Rogers (applications 7.1 and 7.6)
- Councillor J.Arwel Roberts (Portfolio Member for Planning)
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### 1 APOLOGIES

None received.

### 2 DECLARATION OF INTEREST

Declarations of interest were made as follows –

Councillor Nicola Roberts in respect of applications 6.1, 10.1 and 11.2

Councillor Victor Hughes in respect of application 7.5

Councillor Richard Owain Jones in respect of application 10.1

Councillors Lewis Davies, Ann Griffith, John Griffith, Vaughan Hughes, and Nicola Roberts declared personal interests in respect of application 7.5 on account of the reference to wind turbines within the Plaid Cymru Manifesto but stated that they would consider the application on its own merits.

### 3 MINUTES

The minutes of the previous meeting of the Planning and Orders Committee held on 6<sup>th</sup> November, 2013 were presented and confirmed as correct subject to expanding on the address made by Councillor Ann Griffith in respect of application 7.4 as at page 14 to include comments which she had made explaining the political pressure which she had felt under leading to the consideration of the application and also comments regarding intervention by multi-national corporations. In addition she had made reference to what she believed to be a lack of care shown towards Councillors and what she had felt regarding the process.

#### **4 SITE VISITS**

The minutes of the site visits held on 20<sup>th</sup> November, 2013 were presented and confirmed as correct.

#### **5 PUBLIC SPEAKING**

The Chair announced there would be Public Speakers in respect of applications 7.1, 7.6, 8.1, 11.1 and 11.3.

#### **6 APPLICATIONS THAT WILL BE DEFERRED**

##### **6.1 34C553A – Outline application for residential development including extra care facility, highway and associated infrastructure at Ty'n Coed, Llangefni**

*Councillor Nicola Roberts declared an interest in this application and did not take part in any discussion and voting thereon.*

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

##### **6.2 41C125B/EIA/RE – Full application for the erection of three 800kw - 900kw wind turbines with a maximum hub height of up to 55m, rotor diameter of up to 52m and a maximum upright vertical tip height of up to 81m, improvements to the existing access to the A5025 road together with the erection of 3 equipment housing cabinets on land at Bryn Eryr Uchaf, Menai Bridge**

**It was resolved to defer consideration of the application to allow a site visit to be undertaken in accordance with the Officer's recommendation for the reason given in the written report.**

##### **6.3 42C114A – Outline application for the erection of an agricultural dwelling together with the installation of a septic tank at Tai'n Coed, Pentraeth**

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

##### **6.4 44C294B – Full application for the erection of two 20kw wind turbines with a maximum hub height of 20.5m, a rotor diameter of 13.1m and a maximum vertical upright height of 27.1m on land at Plas Newydd, Rhosybol**

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

#### **7 APPLICATIONS ARISING**

##### **7.1 10C118A/RE – Full application for the siting of a 15MW solar array farm on land adjacent to Bryn yr Odyn, Soar**

At its meeting held on 6<sup>th</sup> November, 2013. The Members elected to undertake a site visit prior to making its determination. The site visit took place on 20<sup>th</sup> November, 2013.

The Chair invited Mr Berwyn Owen to address the Committee as an objector to the proposal.

Mr Owen referred to –

- The scale of the development at 74 acres.
- The potential adverse impact of the development on a Special Landscape Area, on the national cycle route and on tourism.
- The proposal's visual impact.
- The cumulative effect of this proposal with the Tai Moelion scheme.
- Comments made by the Countryside Council for Wales.
- Green energy policies refer specifically to solar panels on residential/domestic projects rather than to projects on this scale.
- The Committee is asked to reject the application on account primarily of its effects on landscape and on the character of this part of the countryside but also due to the lack of policy

guidance in respect of solar farms on this scale, or at least to defer consideration of such applications until a specific policy is adopted.

There were no questions for Mr Berwyn Owen from the Committee's Members.

The Chair then asked Mr George Meyrick to speak to the Committee in support of the application.

Mr Meyrick introduced himself as Chair of the Bodorgan Estate which is a major long term investor in the economy of Anglesey, and he proceeded to highlight the positives of the proposal as follows -

- The Estate should retain significant control over the solar farm notwithstanding external funding will also be required.
- The Bodorgan Estate spends approximately £1,000,000 annually on repairs and maintenance alone on people's homes and farms as well as cultural and heritage assets.
- This will be one of the very few solar farms in the UK that will operate as locally-owned electricity generating company.
- It is a good project in terms of community benefit.
- The project is in the right location where there will be no unacceptable landscape or visual impact locally in the wider context or cumulatively.
- The proposal reflects both local and national planning policy for renewable energy in a responsible manner with very limited local impact.
- The proposal is supported by Planning Officers and there have been no objections from statutory consultees.

Members of the Committee questioned Mr Meyrick on the following matters -

- The impact of this development on the agricultural heritage of Anglesey and on tourism.
- The potentially disruptive effects on narrow roads and on local amenities of the delivery and construction phase of the proposed development.
- The omission of Gwalchmai from the community benefits of the scheme,
- Whether the Bodorgan Estate intended to apply for further similar developments in the area on account of a concern regarding the cumulative effects of this and other similar developments on that area.

Mr Meyrick said that the development has to be large scale because of the grid connection costs in terms of the works and equipment required to connect to the 33,000 watts wires as opposed to connecting just to a solar wire. There will be no impact on the agricultural economy since the land is not high quality land. The scheme is not unending and on the expiration of the planning consent after 25 years the steel posts supporting the panels will be removed and the land will revert to agricultural use. Agricultural activity will also continue during the lifetime of the project in the form of grazing once the one year warranty period has ended. The construction phase of the development will take approximately 10 to 12 weeks. A Transport Plan has been produced and all heavy vehicles will unload at Track Môn and materials and equipment will be transported on site by tractor and trailer. A one way system for vehicles connected with the development will also operate. Mr Meyrick said he would be prepared to take the opportunity to engage with Trewalchmai and that the failure to do so has been an oversight although an understandable one given that Trewalchmai's jurisdiction does not cover the site. Mr Meyrick confirmed that the Bodorgan Estate has no further plans in this vein at present and that the wires have only limited capacity which will be reached once this proposal is built.

The Planning Development Manager confirmed that the MOD had raised no objections to the proposal. The Joint Planning Policy Unit confirms that Development Plan policies provide a robust framework against which to assess the application. Agricultural use of the land for grazing will continue. A Transport Plan has been presented as part of the application and the Highways Authority does not object to what is being proposed. The report does not refer to community benefits which are an issue beyond the planning decision to be made. The question of further development is a matter that has to be considered if and when it arises.

Councillor Peter Rogers spoke as a Local Member to the effect that the proposal had elicited mixed views from the community. From the perspective of the Community Council, the benefits to the community seem to be working with the Bodorgan Estate. The economic benefits enjoyed by the area from a well managed estate are impressive. The point raised in relation to loss of agricultural land seems to have been satisfied. The Planning Authority is recommending approval and the rationale for the scale of the development and the number of solar panels has been explained as regards the potential for further development given that the capacity will be met.

Councillor Victor Hughes also speaking as a Local Member drew attention to additional points made in letters he had received in relation to the proposal's potential effect on aircraft and issues relating to aircraft landing given its proximity to Mona airfield. The Air Force at Valley however has confirmed that it has no objections. He wished that the ancient track be protected in case of intrusion and damage. His main concerns were around the cumulative effects of this proposal and the fact that a development on this scale would deter other landowners from making similar applications because of the limitations of the National Grid. He confirmed Llangristiolus Community Council's opposition to the proposal on the basis of its visual impact and said that a petition had also been received.

Councillor Ann Griffith as a Local Member said that although the Community Council supports the proposal there are numerous local concerns in the Aberffraw area. The proposal represents a massive development on natural agricultural land which will be covered by 45,000 solar panels. A 2m high safety fence will encompass the site. Together with the Tai Moelion scheme at 1.6 km distance, this development is likely to create a cumulative effect. Councillor Griffith referred to the number of screening applications for solar farms in the Aberffraw area in the last few months stretching from Soar down the coast to the AONB by the Menai. Eleven of the twenty-one screening applications on the Island are in the Aberffraw area although not all will come before the Planning Committee. She said that she was very concerned by the cumulative effect of such proposals should they be presented as full applications. The site of the current application is a designated Special Landscape Area defined by Natural Resources Wales as areas of high landscape interest in terms of their intrinsic physical, environmental, visual, cultural and historical worth. The Ynys Môn Landscape Strategy of 2011 states that Aberffraw and its environs represent a unit of historical and cultural landscape reflecting a medieval landscape pattern founded on a network of 7 settlements and the township of Aberffraw. This was the site of the principal court of Llewelyn the Last Prince. Councillor Griffith referred to the land formation and geographic features of the area and went on to say that Planning Policy Wales 12.10.1 states that Local Planning Authorities should consider the effects on the natural heritage, the coast and the historic environment. Councillor Griffith pointed out the absence of a relevant and purposeful local policy covering large scale solar farms making it difficult to withstand inappropriate applications such as this and the consequent and urgent need therefore for an interim SPG to address these applications. She believed that the proposal runs contrary to landscape preservation and renewable energy policies; to the Gwynedd Structure Plan, the Ynys Môn Local Plan and the Stopped Unitary Development Plan. Moreover, it has not derived from the local community but the opposite and is an example of how companies from outside Wales take advantage of local resources and buy communities with the enticement of benefits which are limited compared to the large profit which the companies are likely to make over the next 25 years. Councillor Griffith said that she also wanted to know on what basis officers had decided that an Environmental Impact Assessment was not necessary in this case. She asked the Committee to refuse the application.

Councillor Lewis Davies raised a further issue regarding the inability of the local infrastructure to support additional developments and he said that he would prefer to see a greater number of smaller solar farms whose impact would be less than that of the large scale development proposed and which would also afford others an opportunity to take advantage of renewable electricity energy measures.

The Planning Development Manager referred Members to the written report which states that the submission is supported by a Landscape and Visual Assessment; an Ecological Assessment and a Cultural Heritage Assessment. The Council's Ecological Advisor is also

satisfied that any ecological impact can be mitigated by management which should be a condition of consent. The report addresses the issue of cumulative effect with the Tai Moelion scheme which has been assessed. The cumulative effect of such proposals can only be considered where consent has been given and not on the basis of the number of screening applications which is simply reflective of the interest at this point in time. The Gwynedd Archaeological Planning Service has been consulted, and an assessment of the application has been made from this perspective – the service does not have any objections. It is considered that the application is policy compliant and that there is a policy basis to it. The Officer pointed out the need to consider the application on the basis of the use of land.

Councillor Jeff Evans drew attention to the image which Anglesey is cultivating for itself as an Energy Island. He said that both national and local planning policies currently presume in favour of renewable energy projects as means of contributing positively to the wider sustainability agenda. He said that there was nothing within the report that was negative to that statement and that he was confident should the proposal be approved that the Bodorgan Estate will carry out the works with integrity and principle to ensure that the project is managed effectively with as little detriment to the environment around it. Consequently he proposed that the application be accepted. Councillor Kenneth Hughes seconded the proposal of acceptance.

Councillor Nicola Roberts reiterated concerns expressed around effects on landscape, the national cycle route and on tourism and she said that she believed that the impact of two such developments on a small area would be immense. She also disagreed with the report in believing that the proposal would have a visual impact. She proposed that the application be refused and she was supported by Councillor Lewis Davies.

In the subsequent vote, Councillors Lewis Davies, Nicola Roberts and John Griffith voted to reject the application. Councillors Jeff Evans, Kenneth Hughes, Vaughan Hughes and R.O. Jones voted in favour of its approval.

**It was resolved to approve the application in accordance with the Officer's report and subject to the conditions listed therein.** *(Councillors Ann Griffith and Victor Hughes as Local Members did not vote on the matter and Councillor Raymond Jones did not vote as he was not present on the site visit).*

## **7.2 14C135A – Full application for the erection of a dwelling and private garage, creation of a new vehicular access together with the installation of a package treatment plant on land adjacent to Glasfryn, Tyn Lon**

At its meeting held on 6<sup>th</sup> November, 2013, the Planning and Orders Committee resolved to approve the application contrary to the Officer's recommendation on the basis that the application complies with Policy 50 of the Ynys Môn Local Plan. The reason cited for the approval was that the application complies with Policy PT2 in relation to housing in rural clusters and complies with Policy 50 of the Ynys Môn Local Plan.

The Planning Development Manager explained to Members that the application cannot conform to both policies as the one - Policy 50 of the Ynys Môn Local Plan deals with villages and the other – Policy PT2 deals with rural clusters. The application site lies within West Llynfaes which is included in a list of rural clusters set out in the Interim Planning Policy (Housing in Rural Clusters). By definition, inclusion of the settlement within the Housing in Rural Clusters policy recognises and accepts that the area does not fall within the definition of Policy 50. Policy PT2 lists the criteria that must be met when considering planning applications as reflected in the report including the need to prove a local community need for an affordable dwelling and that the size of the property is appropriate to the affordable housing needs of the applicant. As a 4 bedroomed open market dwelling the proposal as presented conflicts with these criteria. Additionally, the Highway Authority has raised concerns regarding the visibility onto the public highway from the access serving the application site which it considers substandard and on the basis of which it is recommending refusal. The Officer emphasised that it is erroneous to cite Policy 50 of the Ynys Môn Local Plan to justify approval of the application as the application conflicts with Policy 50 and, whilst Policy PT2 does apply, the application in this instance does not satisfy the criteria set

out under Policy PT2. The Committee would have to identify a robust reason to justify deviating from the policy to allow the application.

Councillor Nicola Roberts commented in her capacity as a Local Member to the effect that this was an application by a local Welsh family and that if it fell within Policy PT2 as an affordable home then it could be approved. Evidence has been presented that no affordable mortgage is available to the applicant despite attempts to obtain one and so she asked the Committee to adhere to its previous decision of approval.

Those Members of the Committee who had supported the application at the previous meeting remained of the same view and they cited the need to support and promote individuals wishing to remain within their community as a way both of ensuring the viability of rural communities and the Welsh language.

The Legal Services Manager advised that to be able to justify the application under Policy PT2, the proposal would have to be for an affordable home but no evidence of that has been presented and the assessment of affordable housing need has not been undertaken. Should the Committee still wish to justify the application on the basis of Policy PT2 then it is open to it to ask for evidence of an affordable housing need which the Planning Officer could consider and then re-present the application with a recommendation on that basis.

Councillor Victor Hughes proposed that consideration of the application be deferred to allow that process to take place. His proposal was seconded by Councillor Vaughan Hughes.

**It was resolved to defer consideration of the application in order to allow the Planning Officer to consult with the applicant regarding the provision of evidence of an affordable housing need** (*As a Local Member Councillor Nicola Roberts did not vote on the matter*).

### **7.3 19C1052C – Full application for the erection of 12 two bedroomed flats and 3 one bedroomed flats together with the construction of a new access on the site of the former RNA Club, St David's Road, Holyhead.**

The application was presented to the Committee at the request Councillor R. Llewelyn Jones as a Local Member. Due to an administrative oversight which was discovered prior to the release of the planning consent, Councillor Jones was not informed of the relevant committee meeting and was not present at the November meeting of the Planning Committee at which the application was considered.

The Planning Development Manager reminded the Committee of the planning reasons for the Officer recommendation of approval as regards the principle of redevelopment for residential purpose which is supported by planning policy; the acceptability of the scheme as now presented in terms of addressing the design, conservation area and listed building effects concerns raised previously and the absence of any technical objections to the development.

Councillor R. Llewelyn Jones as a Local Member read out a letter from a Holyhead Town Councillor to the main effect that the objection was not to the development of the site but to what was considered to be over-development of a small site and the consequent impact on nearby businesses and residents. Councillor Jones drew attention to concerns expressed in the letter in respect of parking, access and traffic issues in and around Walthew Avenue, St David's Road and Bryn Golau Avenue should the development be approved. He said that on this basis it was felt the proposed development does not respect the local context – it is unneighbourly and would harm the amenities of residents and local businesses particularly in respect of safe parking and access. Councillor Jones referred the view of the Council's own Conservation Officer that the design of the proposal was not the best one could have hoped for. He drew particular attention to the Planning Inspector's views on the previous scheme's design and effect on the conservation area and he said that in terms of style and effect the position had not changed. What was being proposed are tall flats. He referred to the proliferation of housing applications in the Holyhead area which have had planning consent. Councillor Jones said he believed the application runs contrary to the Planning Inspector's ruling on a previous application on a number of points; that it appears to be contrary to the Gwynedd Structure Plan and to a number of policies e.g. Policy A2 ; A3 ; D4 and FF12. It is also contrary to the SPG - Holyhead Beach Conservation Area Character Appraisals. Councillor Jones said that the need to protect designated conservation areas from unsympathetic development is ongoing and he cautioned the Committee against the risk of losing natural heritage in a rush to erect more housing.

Councillor J.A.Roberts also speaking as a Local Member said now that an explanation had been given, he wished to apologise to Councillor Jones for comments made about his being absent from the November meeting of the Committee having called in the application. He highlighted the fact that the application was approved unanimously at that meeting. The application site is not within the designated conservation area but is within a vacant brownfield site within the development boundary of Holyhead and is suitable for re-development. The proposal has been redesigned to address and answer the Planning Inspector's concerns. The loss of views of the Conservation Area which have been cited as a basis for objection is not a material planning consideration. Councillor Roberts said that there is parking on-site and the re-siting of the access on Walthew Avenue will ease the parking situation.

Councillor Kenneth Hughes proposed that the application be approved and his proposal was seconded by Councillor Richard Owain Jones.

**It was resolved to approve the application in accordance with the Officer's report and subject to the conditions listed therein.** *(As a Local Member, Councillor Raymond Jones did not vote on the matter)*

#### **7.4 28C483 – Full application for the siting of a log cabin at Sea Forth, Warren Road, Rhosneigr**

At its meeting held on 6<sup>th</sup> November, 2013, the members resolved that a site visit should take place prior to determining the application. The site visit was undertaken on the 20<sup>th</sup> November, 2013.

The Planning Development Manager stated that the principal planning considerations relate to the proposal's effects on the surrounding landscape and on the amenities of the neighbouring properties. The Officer said that it is not considered that the proposal would have a detrimental effect on the surrounding landscape to such a degree as to warrant refusing the application. Neither is it considered that the proposal will have an additional detrimental effect on the amenities of the neighbouring properties. The proposal is considered acceptable and the recommendation is one of approval.

Councillor Richard Dew addressing the Committee as a Local Member said that the main concerns with the proposal are in relation to its effects on the amenities of the neighbouring properties. As the proposed log cabin will not have any facilities, there will be increased toing and froing by those using the cabin which at night will necessitate lighting leading to potential disturbance for the residents of the neighbouring properties. There are also parking and traffic issues arising in as much as Warren Road is a narrow street of terraced houses whose residents park on the street. Given that Seaforth is a substantial house with a narrow access, and with the addition of the log cabin, there is likely to be increased usage and parking on Warren Road. Councillor Dew asked the Committee to reject the application.

Some Members of the Committee raised the possibility of addressing the parking issue via a condition to the effect that the two access points at Seaforth are merged and that a section of land is levelled to create new parking spaces. The Planning Development Manager said that a condition can be imposed only if a need has been proven and the Highways Authority has not made any such recommendation, and it wasn't clear that there is evidence to justify the need for additional parking. Also, if it is the Committee's wish that Planning Officers re-consult with the applicant regarding the matter of parking, Members must be specific in stipulating what is required.

The Senior Engineer (Development Control) confirmed that Highways Officers had assessed the application in terms of incidental use and as such they could not insist on the provision of parking spaces as the log cabin cannot be treated as a dwelling. The Officer confirmed that there has to be evidence of parking need.

Councillor John Griffith proposed that the application be refused on the basis of the effects of the proposal on neighbouring properties as the log cabin is to be situated in a dip with steps down to it which will require lighting by night thus impacting on the residents of the neighbouring properties. There was no seconder to the proposal of refusal.

Councillor Richard Owain Jones believed that the parking situation is adequate and he proposed that the application be approved as presented. His proposal was seconded by Councillor Kenneth Hughes.

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

**7.5 30C713 – Erection of one 10kw wind turbine with a maximum hub height of up to 15.5m, rotor diameter of up to 7.5m and a maximum upright vertical height of up to 19.25m**

The application was previously called in by the then Local Member. It has however been determined to refer all applications for wind turbines to committee. The site was visited by Members of the Planning Committee on 16<sup>th</sup> October, 2013.

*Councillor Victor Hughes having declared an interest in this application withdrew from the meeting during the discussion thereon.*

The Planning Development Manager informed Members that an additional letter of representation had been received but that it did not raise any new matters not covered in the report to the committee. The Officer said that there is policy justification for the recommendation of approval and that the policies outlined in the report provide a presumption in favour of renewable energy developments subject to the criteria listed. Likewise the landscape and visual impact is not significant and can be overcome by mitigation. Natural Resources Wales have no objection to the proposal.

Members of the Committee sought clarification of certain matters in relation to the proximity of the nearest dwellings to the proposed development and the scale of a similar development at a distance opposite.

Councillor R.O. Jones thought the proposal was sufficiently small scale not to be intrusive and he proposed that the application be accepted. Councillor Kenneth Hughes seconded the proposal.

Councillor Ann Griffith proposed that the application be refused on grounds of landscape and visual impact and effects on amenities. Councillor John Griffith seconded the proposal of refusal.

In the subsequent vote, Councillors Lewis Davies, Ann Griffith and John Griffith voted to reject the application. Councillors Kenneth Hughes, Richard Owain Jones and W.T.Hughes voted to approve the application.

**It was resolved on the casting vote of the Chair to approve the application in accordance with the Officer's report subject to the conditions listed therein.** *(As a Local Member, Councillor Vaughan Hughes did not vote on the matter. Councillors Raymond Jones and Nicola Roberts did not vote as they have not been present on the site visit)*

*As the meeting had now been in progress for three hours, in accordance with the requirements of para. 4.1.10 of the Constitution the Chair asked the Members present whether they wished the meeting to continue. Those Members present voted for the meeting to continue.*

**7.6 45C438 – Outline application with some matters reserved for the erection of a dwelling, the construction of a vehicular access together with the installation of a septic tank on land adjacent to Bryn Gwyn, Newborough**

The applicant is related to a relevant officer. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution. At its meeting on 6<sup>th</sup> November, the Committee resolved to defer consideration of the application at the Local Member's request to allow the applicant an opportunity to address the Committee. The applicant was not aware that the proposal was under consideration at the 6<sup>th</sup> November meeting and was unable to attend.

The Chair invited Mr Rhys Davies to address the Committee in favour of the application.

Mr Rhys Davies made the following points:

- The most up to date policy that applies is a national policy - Planning Policy Wales (PPW) November, 2012 which states at Paragraph 9.3. 2 that it is permissible to sensitively infill small gaps between dwellings or make minor extensions and that that is acceptable especially but not exclusively in relation to affordable dwellings to meet with local needs depending on the character of the surroundings and the number of groupings in the area.
- Extending housing developments into the countryside and small towns must be avoided should that necessitate more travelling to regional centres.

- The plot in question is part of a rural cluster regarding which the Council's recent SPG – Housing in Rural Clusters states that affordable housing within a rural cluster is permissible.
- This policy was adopted by the Council to assist rural communities with a flexible policy to allow families and young people to remain within their communities. One of the criteria is a cluster has to form at least 5 dwellings and must be within walking or cycling distance of community facilities. The target set is 800m from a bus or railway station – in this instance the site is within 300m of a bus stop and is within easy reach by bicycle or foot of all of Newborough's facilities.
- The Land and Lakes application involved the approval of a number of houses on sites not designated for such development based on the flexibility of national planning policy which allows for housing development on sites not designated for such purpose in the Local Plan.
- Paragraph 9.3.2 of the national policy is sufficiently flexible to allow minor extensions to rural housing groups to assist the future viability of rural communities. The Authority has approved similar proposals recently in order to allow local people to remain within their communities.

Members of the Committee sought clarification of certain points within Mr Davies' address. Councillor Ann Griffith specifically referred to the fact that a criterion applying to clusters is that the dwelling should be affordable and she asked Mr Davies whether he could provide evidence that the applicant wishes to build an affordable home. Councillor Lewis Davies likewise asked whether the applicant would be willing to sign an affordable housing condition. Mr Rhys Davies in reply confirmed that the application had not been presented as an affordable housing application even though the application was made because the applicant is not in a position to purchase a house on the open market. Mr Davies went on to say that whilst it is a matter that can be discussed with the applicant, he understood it was difficult to obtain finance for affordable homes and it would require further consideration by the applicant particularly in terms of any implications for securing a mortgage.

The Planning Development Manager said that an additional letter by the applicant's agent has been submitted, the substance of which is reflected in the address above. The Community Council has confirmed that it does not object to the application. The proposal is a departure to the Development Plan and is brought to the Committee's attention only because the applicant is related to a relevant officer. The main issue of consideration is compliance with policy – the site lies approximately 370m away from the development boundary of Newborough and is therefore considered to be in the open countryside. The Council does have an Interim Policy in relation to housing in rural clusters and that policy contains a list of identified clusters which does not include the application site above. Therefore the Interim Policy on housing in rural clusters does not apply in this case meaning that the proposal conflicts fundamentally with the Authority's housing policies and plans and represents a clear example of a dwelling in the open countryside. The Officer said that considerations in terms of who the applicant is and the applicant's circumstances do not outweigh the fundamental policy objection that exists in this instance. Added to that, the application cannot be said to bear comparison to the Land and Lakes proposal which carried with it far more complex planning considerations.

Councillor Peter Rogers spoke to the Committee as a Local Member and he said that the issue of affordable housing is a significant issue and that the main problem is the ability to draw down a mortgage. Although on the adoption of the interim planning policy on housing in rural clusters the application site was not accepted as a cluster, it does have features which are aligned to clustering such as being part of a group of 5 or more dwellings and being situated within walking or cycling distance to the village's facilities which are important considerations. The proposal involves a family looking to establish extended family support and he added that if there is an opportunity to encourage and foster such relationships then he would urge the Committee to place emphasis on that factor. Notwithstanding it is not a planning consideration, the retention of families within communities is a vital part of rural life today.

Councillor Ann Griffith also speaking as a Local Member said that she supported the application because in her view it conforms to the planning rules. The application site is located at the edge of a cluster at the rear of the property known as Bryn Gwyn - a collection of dwellings in the countryside which most would refer to as a rural cluster. Planning Policy Wales at 9.3.2 refers to sensitive infilling of small gaps within small groups of houses or minor extensions to groups. Planning Policy PT2 which was adopted by the Council in December 2011. In terms of the criteria applying to new dwellings for community need in rural clusters, Councillor Griffith thought that the proposal does most definitely represent a local need for a self-build dwelling for the applicant's

son and his family. The map indicates that there are 8 dwellings in close proximity making up the existing cohesive group – the interim policy refers to a minimum of 5 dwellings. This application site is within 300m of a bus stop which will enable an employee to access employment in Llangefni by 9:00 a.m. The interim policy specifies 800m distance to a bus stop. The interim policy also refers to the size of the property being appropriate to the affordable housing needs of the applicant which this would be. Councillor Griffith said that she hoped the Committee would approve the application as it was in her view within the local and national guidelines.

The Planning Development Manager cautioned the Committee against creating policy and he reiterated that the interim planning policy on housing in rural clusters identifies and lists those clusters via a map plan. As a matter of fact, the application site is not within such an identified cluster and to say that it conforms to the interim planning policy is therefore factually incorrect. The Officer said that he was not aware of the applicant's personal circumstances nor whether there is a local housing need as no evidence to that effect has been presented. Notwithstanding those factors do not outweigh the policy objections which exist in this case.

Councillor Nicola Roberts indicated her support for the application on the basis that it is in line with Policy 50 of the Local Plan as being a reasonable extension to the development boundary of Newborough.

The Legal Services Manager advised Members that Planning Policy PT2 realises paragraph 9.3.2 of Planning Policy Wales in a local setting. Policy 50 is not applicable in this case. In response to Councillor Ken Hughes's request, the Legal Services Manager further clarified that Planning Policy PT2 incorporates the principles of Paragraph 9.3.2. in relation to the situation in Anglesey in so far as it identifies those clusters that are suitable in terms of the principle of infilling to which Para 9.3.2 refers. If a site is not listed within Planning Policy PT2 then recourse to Paragraph 9.3.2. PPW is not possible as PT2 specifically relates to the geography and topography of Anglesey and applies the principles of Para 9.3.2 to the local context.

Councillor Vaughan Hughes whilst acknowledging the Officer guidance took issue with the substance of the policy in that he believed it militates against young families wishing to locate to or remain within their communities and in particularly the implications in terms of obtaining a mortgage on an affordable home. He said that the policy needs to be looked at.

Councillor Jeff Evans proposed that the application be refused as he saw no evidence in relation to the application that indicated exceptional circumstances in terms of an agricultural or forestry or some such employment need which would justify approval. Councillor Victor Hughes seconded the proposal of refusal.

**It was resolved to refuse the application in accordance with the recommendation of the Officer's report** (*Councillor Ann Griffith as Local Member did not vote on the matter*).

## **8 ECONOMIC APPLICATIONS**

### **8.1 46149N/ECON/FR – Full application for the erection of 27 holiday cottages, 9 garden rooms as an extension to the hotel accommodation, reception office building, creation of a new vehicular and pedestrian access together with landscaping at Trearddur Bay Hotel, Lôn Isallt, Trearddur Bay**

The application was called in by the Local Member.

The Chair invited Mr David Middleton to speak to the Committee in support of the application.

Mr David Middleton introduced himself as the appointed agent for the applicant and addressed the Committee as follows –

- The proposal involves the provision of 27 holiday cottages and 9 hotel garden rooms which will be developed in a sustainable location within easy walking distance to the centre of Trearddur Bay and all of the shops, services and facilities available.
- A Landscape and Visual Impact Assessment positively concludes that the development would not be intrusive in the wider landscape with the design and layout of the holiday cottages and garden rooms being landscape led having evolved through pre application discussion with Anglesey Council.

- Landscape and Planning Officers at Anglesey Council have been heavily involved in influencing the layout of the development and have had a direct input into the overall mass and design of the accommodation.
- There are no objections to the application by any of the statutory consultees.
- The economic benefits from the development will be significant and are a material consideration in support of the application. It is estimated that the development will contribute an additional 700k per annum to the Trearddur Bay local economy.
- This monetary spin off will directly benefit local businesses in Trearddur Bay and will sustain the hotel as one of the main holiday accommodation providers and largest employees in the area.
- As part of the application, the applicant has agreed to make a £30k section 106 contribution to improve car parking in Trearddur Bay and to provide a pedestrian crossing point in the village centre.
- The application is supported at both national and local planning policy level and the Committee report confirms that there is no conflict with the Development Plan or the policies that apply in this respect.

Members of the Committee asked Mr Middleton a number of questions about the design of the holiday cottages and their use on an all year basis and whether this was an overdevelopment; whether recruitment to the five additional permanent posts would be from the locality, and conformity with Welsh Language policy.

Mr Middleton in reply explained that he was aware of local objections in relation to over-development and he said that the scheme was discussed in detail with Officers who heavily influenced the site layout and design. The holiday cottage development is focused in a less obtrusive area to the south west of the site. There will be environmental and ecological improvements made within the site. The holiday cottage units have been designed to avoid their looking like a quasi- housing estate and provide a mix of development types so that it does not appear uniform. It is anticipated that the recruitment to the five additional posts will be made from the local area consistent with current practice. Mr Middleton confirmed that dual language signage throughout the hotel will extend to the proposed holiday cottages. As regards usage of the holiday cottages, the intention is that they will be used throughout the year but the applicant would accept the model planning conditions that the authority imposes to prevent residential occupation. It is not the intention they be used for residential purposes and operationally the hotel would not wish to lose control of any of the holiday cottages and garden rooms for that purpose but to retain them for holiday usage.

Councillor Jeff Evans as a Local Member referred to a number of objections from the Community Council and local residents. He sought clarification of the nature of the local support to which Mr Middleton had made reference. Mr Middleton said there had been feedback via the hotel itself. Also through discussions the need for a pedestrian crossing point in Trearddur village had become apparent and it is a matter on which the applicant is keen to work with the community in meeting the need.

The Planning Development Manager stated that the proposal is acceptable in policy terms. The Highways Authority has not objected to the proposal and has been in discussion with the agent regarding potential scheme benefits amounting some £30,000. Landscape and amenity impacts are not considered unacceptable – a Landscape and Visual Impact Assessment identifies site planting as a key to mitigating residual impacts given the extensive work undertaken in the design process to secure the integration of the site into its surroundings. Likewise, any negative effects in terms of ecological impact can be mitigated by the proposed landscaping proposals. In term of economic impact, the proposal on balance will generate positive economic effects. Additionally the scheme has been designed to respect the listed building on site and there are no technical issues arising. A condition regarding holiday use would be imposed if the proposal is approved.

Councillor Trefor Lloyd Hughes as a Local Member, highlighted matters in relation to flood risk and drainage and raised the question of whether the development can be fitted into its surroundings without unacceptable harm. He requested that a site visit be undertaken to enable Members to gauge the potential effects of the proposal in the context of its surroundings and overdevelopment. Councillor Hughes was supported in this respect by Councillors Jeff Evans and Raymond Jones.

The Chair reminded Members requesting a site visit, that the request be made at the commencement of the discussion. The Planning Development Manager pointed out that the written report addresses the issue of flood risk and drainage.

Councillor Victor Hughes proposed that the application be approved as the proposal is an opportunity to draw people into the area over the Winter months and to provide a boost to the local economy and employment market. His proposal was seconded by Councillor R.O.Jones. Councillor Jeff Evans acceded that if the Committee is of the mind that the concerns expressed do not require a site visit, then he was happy that the proposal be supported.

**It was resolved to approve the application in accordance with the Officer's report subject to the conditions listed therein and subject to a S106 agreement (to deliver wider community benefits including a footway extension on Lôn Isallt and a pedestrian crossing on Lôn St Ffraid together with securing the garden rooms as part of the hotel complex)**

## 9 AFFORDABLE HOUSING APPLICATIONS

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

## 10 DEPARTURE APPLICATIONS

### 10.1 24C288A – Full application for the erection of a dwelling, together with the installation of a private treatment plant at Hafod y Grug, Cerrigman

The application was presented to the Planning and Orders Committee as an application which is contrary to the adopted Ynys Môn Local Plan but that can be supported under the Stopped Unitary Development Plan.

*Councillors Nicola Roberts and Richard Owain Jones, having declared an interest in this application withdrew from the meeting during the discussion thereon.*

The Planning Development Manager explained that the principle of development is accepted as the proposal is permissible under the provision of policy HP5 of the Stopped Unitary Development Plan. An extant planning permission also exists on the land which further establishes the principle of development.

Councillor Kenneth Hughes proposed that the application be approved and his proposal was seconded by Councillor Victor Hughes.

**It was resolved to approve the application in accordance with the Officer's report and subject to the conditions listed therein.** *(Councillor W.T.Hughes as Local Member did not vote on the matter)*

## 11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

### 11.1 18C215 – Outline application with access included for the erection of an affordable dwelling, construction of a new access together with the installation of a sewerage treatment plant on land adjacent to Swyn yr Afon, Llanrhwydrus, LL68 0SR

The application is brought to the Committee's attention as the applicant is friends with a relevant officer and the file has been reviewed by the Monitoring Officer.

The Chair invited Sioned Roberts to present her point of view to the Committee.

Miss Roberts highlighted the following points in support of the application –

- She described her personal circumstances and her family links with Swyn yr Afon and Llanrhwydrus.
- She referred to the difficulties of purchasing a house as she was effectively priced out of the market locally. She gave examples of the number and prices of houses for sale at present.
- Due to the unaffordability of houses locally, the area has seen older incomers which is sad for the rural community. She was fortunate enough to have been given a piece of land by her parents on which she wished to build an affordable home.
- Her aspirations for the future were to settle and raise a family in the locality. It would be helpful both for her and for her parents to be living close to each other.

- In conclusion, she wished to stay within her community close to family and friends and to start a family. She was not asking for planning consent for a large house but simply for a home within the small cluster of houses around her childhood home.

There were no questions for Miss Sioned Roberts from the Committee's Members.

The Planning Development Manager said that the application conflicts with Development Plan policy and is presented to the Committee only because the applicant is friends with a relevant officer. The application site as proposed is located in the open countryside where strict policies apply and justification for new housing development must be demonstrated. Other than affordability, no other justification is offered in support of the application which can be considered under relevant housing in the countryside policies. Moreover, the application site is located in a prominent positions where it is considered the development of a new dwelling would have a detrimental impact on the character of the surrounding landscape.

Councillor Kenneth Hughes speaking as a Local Member said that he supported the application on the grounds of policy as well as on Welsh language grounds and he cited Para 9.2.13 of Planning Policy Wales in justification of his position. This paragraph provides for the sensitive infilling of small gaps within small groups of houses or minor extensions to groups. He believed the policy applied in this case given there were 3 houses close by and he did not feel that another dwelling would have an adverse effect on the locality. There were no objections locally to the proposal. In addition the proposal provides an opportunity both to ensure the continuity of the family as well as to keep young people on the Island and within their communities thus helping to safeguard local amenities such as the school and the Welsh language which considerations Councillor Hughes deemed to be important.

Members of the Committee were sympathetic to the application and were concerned that planning policy as it is currently seems to be working against young people wishing to remain within their communities with consequent implications for the viability of those communities and the prosperity of the Welsh Language. Members wished to declare their dissatisfaction with the situation and suggested that representations be made to that effect. Councillor John Griffith believed that the Committee should support the application.

The Planning Development Manager reminded Members that officers are responsible for implementing the planning policies of the Isle of Anglesey County Council. The Officer said that it would be difficult to reconcile approving this application with a previous decision in similar circumstances. Consequently granting consent would occasion him professional concern as an Officer. He further clarified in response to a question by a Member about the application being an affordable housing application that although the application is presented as an affordable housing application - to be considered as an appropriate location supported by policy the proposed development would have to be located on an appropriate site within or immediately adjoining an existing settlement which is not the case here.

The Legal Services Manager advised that the application site is located more obviously in the countryside than a similar application considered previously. He said that it is the Committee's responsibility to put into effect planning policy, law and procedure and as such it is difficult to see how the decision can be other than to refuse the application.

Having heard the professional advice given, Members of the Committee concluded with regret that based on policy considerations, the application could not be approved. Councillor Nicola Roberts proposed that the application be refused and Councillor W.T.Hughes seconded the proposal.

Councillor J.A.Roberts in his capacity as Portfolio Member for Planning said that he noted the Committee's concerns and that the matter would be looked into. However any change in policy would take time, and in the meantime it is the Committee's responsibility to effect the Council's existing planning policies.

**It was resolved to refuse the application in accordance with the Officer's report. (As a Local Member, Councillor Kenneth Hughes did not vote on the matter).**

## **11.2 34C655 – Full application for alterations and extensions at 2 Ty'n Coed Uchaf, Llangejni**

The application was brought to the attention of the Planning and Orders Committee as the applicant is related to a serving officer as defined within paragraph 4.6.10. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

*Having declared an interest in the application, Councillor Nicola Roberts withdrew from the meeting.*

The Planning Development Manager informed the Committee that a letter of objection had been received by the Planning Office yesterday and given that the Planning Officer had not had sufficient time to consider its content, he was recommending that consideration of the application be deferred.

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

## **11.3 37C187 – Outline application with some matters reserved for the erection of a dwelling, together with alterations to the existing access on land adjacent to Bryn Garth, Brynsiencyn**

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

The Chair asked Mr Eric Jones to address the Committee in support of the application.

Mr Eric Jones made the following points –

- The family's longstanding link with the Brynsiencyn area.
- The land which forms the application site borders on the current UPD and has been included in the candidate sites register for planning. There are various properties bordering on the land in question and one more dwelling on the site will bear no effect naturally and environmentally and will not be a blot on the landscape.
- His daughter as the applicant and her husband and their young family have always expressed a wish to live in Brynsiencyn and the community in general will benefit from their presence.
- That he had faced a similar situation himself in wanting to build a home in the locality and that the Local Member at the time had emphasised the importance of keeping local people within their communities.
- His daughter and her husband are both employed by Anglesey County Council and wish to make their home where their roots lie.

The Planning Development Manager stated that his proposal is contrary to the Local Plan and the Stopped Unitary Development Plan and is therefore a departure from policies. The Officer explained that there is a definite settlement boundary for Brynsiencyn and the application site lies outside this boundary and is located in the countryside. Given that the application site is on the edge of the settlement there is a policy that applies if the application was for an affordable dwelling. However, it is an application for an open market dwelling and not for an affordable dwelling.

Members queried whether the application would be acceptable were it for an affordable dwelling. The Planning Development Manager explained that there is a relevant policy which allows for consideration to be given to granting planning consent for affordable housing on appropriate sites within or immediately adjoining existing settlements subject to satisfying the criteria.

The Legal Services Manager advised that it is open to the Committee to defer consideration of the application in order to request evidence of an affordable housing need which the Planning Officer would then consider.

Councillor Nicola Roberts proposed that consideration of the application be deferred and her proposal was seconded by Councillor Kenneth Hughes.

**It was resolved to defer consideration of the application to allow the Planning Officer to re-consult with the applicant regarding the provision of evidence of an affordable housing need.** *(As a Local Member, Councillor Victor Hughes did not vote on the matter)*

**11.4 47C121A – Outline application with all matters reserved for the erection of a dwelling together with the construction of a new vehicular access on land adjacent to Hen Blas, Llanddeusant**

The application was presented to the Planning and Orders Committee as it is made by the father of a relevant officer. The application has been reviewed by the Monitoring Officer in accordance with the Council's Constitution.

The Planning Development Manager said that Llanddeusant is a listed settlement defined under Policy 50 of the Ynys Môn Local Plan and which normally allows the development of single plots within or on the edge of the village. It is considered that the application site would form a reasonable minor extension to the existing development part of the village. The recommendation is therefore one of approval but without a Section 106 agreement on affordable housing.

Councillor Victor Hughes proposed that the application be approved and he was seconded by Councillor Lewis Davies.

**It was resolved to approve the application in accordance with the Officer's report subject to the conditions listed therein** *(As Local Members Councillors John Griffith and Kenneth Hughes did not vote on the matter).*

## **12 REMAINDER OF APPLICATIONS**

**12.1 10LPA980A/FR/CC – Full application for the re-alignment of the road and construction of a new bridge at Pont Ganol, Aberffraw**

The application was presented to the Planning and Orders Committee as it was submitted by the Council.

**It was resolved to approve the application in accordance with the Officer's report subject to the conditions listed therein.** *(As Local Member, Councillor Ann Griffith did not vote on the matter)*

**12.2 11LPA533C/AD/CC – Erection of 6 banners around Amlwch Leisure Centre, Amlwch**

The application was made on Council owned land.

**It was resolved to approve the application in accordance with the Officer's report subject to the conditions listed therein.**

**12.3 19C693A – Full application for the erection of a 5 two storey terraced dwellings together with associated off-road parking on land adjacent to the site at Former depot, Cross Street, Holyhead**

The application is presented to the Committee as the applicant is related to a relevant officer. The report has been scrutinised by the Monitoring Officer in accordance with the Council's Constitution.

The Planning Development Manager said that application site is situated within the development boundary of Holyhead and is a brownfield redevelopment site. Planning policy supports its redevelopment for residential use. There are no technical objections to the development.

Councillor Jeff Evans said that he was not aware of any objections to the application and that he believed that what is currently a derelict area can only benefit from the proposal.

Councillor Lewis Davies proposed that the application be approved; his proposal was seconded by Councillor Richard Owain Jones.

**It was resolved to approve the application in accordance with the Officer's report subject to the conditions listed therein.**

**12.4 19LPA988/TPOCC – Application for works to fell trees which are protected under a Tree Preservation Order at Lays Mai (Mill Bank Frontage), Tyn –y –Parc, Mill Bank, Holyhead**

The application was made on Council owned land.

**It was resolved to approve the application in accordance with the Officer's report subject to the conditions listed therein.**

### **13 OTHER MATTERS**

**13.1 13C183 – Application to determine whether prior notification is required for the erection of an agricultural shed for storage of animal feed and machinery on land adjacent to Seren Las, Bodedern**

Members were informed that it was determined that the prior approval of the Local Planning Authority was not required for this development and that it constituted permitted development.

**It was resolved to note the report as information.**

### **14 ORDERS**

**14.1 Isle of Anglesey County Council (Off-Street Parking Places) Various Car parks Anglesey (1) Order 2013**

The report of the Chief Engineer (Highways and Waste Management) was presented for the Committee's consideration.

**It was resolved to support the introduction of an off-street parking order on condition that any new pay and display parking sites are approved by the Executive.**

**Councillor W.T.Hughes  
Chair**