

PLANNING AND ORDERS COMMITTEE

Minutes of the meeting held on 5 March 2014

- PRESENT:** Councillor William Thomas Hughes (Chair)
- Councillors John Griffith, Vaughan Hughes, Victor Hughes, Richard Owain Jones, Jeffrey M.Evans, K P Hughes, Nicola Roberts and Alwyn Rowlands
- IN ATTENDANCE:** Planning Development Manager (DFJ)
Planning Assistants
Senior Engineer (Development Control) (EDJ)
Development Control Officer (RE)
Legal Services Manager (RJ)
Committee Officer (ATH)
- APOLOGIES:** Councillors Lewis Davies, Ann Griffith (Vice-Chair)
- ALSO PRESENT:** Councillor J. Arwel Roberts (Portfolio Member for Planning and a Local Member in respect of application 12.1), Councillor R.LI.Jones (a Local Member - application 12.1) Councillor R.G.Parry (a Local Member – application 7.1); Councillor Richard Dew (Portfolio Member for Highways, Property & Waste Management)
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1 APOLOGIES

Apologies for absence were presented and noted as listed above.

The Chair referred to the absence of the Vice-Chair and asked the Committee whether it wished to appoint a Vice-Chair for this meeting. Members deemed that unnecessary.

2 DECLARATION OF INTEREST

No declaration of interest was made.

3 MINUTES OF THE 5TH FEBRUARY MEETING

The minutes of the previous meeting of the Planning and Orders Committee held on 5th February, 2014 were presented and confirmed as correct.

4 SITE VISITS

The minutes of the site visit undertaken on 19th February, 2014 were presented and confirmed as correct.

The Planning Development Manager drew the Committee's attention to the fact that since the reports for today's meeting were drafted the Welsh Government has issued the sixth edition of Planning Policy Wales. As the changes in the latest edition of the PPW relate primarily to waste management issues Planning Officers are satisfied that the recommendations made in the reports do not need to be reviewed as a consequence.

5 PUBLIC SPEAKING

There were no Public Speakers at this meeting of the Planning and Orders Committee.

6 APPLICATIONS THAT WILL BE DEFERRED

6.1 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

It was reported and noted that the application had been withdrawn.

6.2 41C125B/EIAL/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, the improvements to the existing access to the A5025 road together with the erection of 3 equipment housing cabinets on land at Bryn Eryr Uchaf, Porthaethwy

It was resolved to defer consideration of the application in accordance with the Officer's recommendation for the reasons outlined 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 reported and noted that the application had been withdrawn.

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 outlined in the written report.

7 APPLICATIONS ARISING

7.1 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, Ty'n Lon

The application was presented to the Planning and Orders Committee at the request of a Local Member, Councillor R.G.Parry,OBE. The Committee at its meeting held on 6th November, 2013 resolved to approve the application contrary to the Officer's recommendation as it was of the view that it complied with Policy PT2 in relation to rural clusters and Policy 50 of the Ynys Môn Local Plan. At the meeting of the Planning and Orders Committee held on 6th December, 2013 the reasons for approving the application were discussed and it was subsequently resolved to defer determination of the application to allow Planning Officers to consult with the applicant regarding the provision of evidence of an affordable housing need. The consultation process has now been completed and additional information has been provided by the applicant.

The Planning Development Manager informed the Committee that since the written report was drafted the applicants have confirmed they are willing to accept a Section 106 agreement thus providing the mechanism to ensure the continued affordability of the proposed dwelling in accordance with Policy PT2 requirements. Therefore the sole objection to the application on planning grounds is the inadequacy of the visibility onto the public highway from the access serving the site which Highways Officers regard as substandard because it is only half of what is advised under current guidance. The Highways Authority's view is that the increase in the use of the substandard access for residential users could be detrimental to road safety. The Officer said that in light of the Highways Officer's professional advice, the recommendation remains to refuse the application but for reasons of highway safety.

Councillor Nicola Roberts, speaking as a Local Member pointed out that when the Committee approved the application in November, 2013 contrary to the Officer's recommendation, and the reasons for doing so were discussed at the following meeting in December, the principal issue of objection was one of policy compliance on the grounds of affordability. That issue has now been addressed; Highways Officers have viewed the site – two officers have been out and have provided differing opinions. Councillor Roberts reminded the Committee that the applicants are a young couple who will contribute to the community. She emphasised that the site access is already in use by the residents of other dwellings in the vicinity and that it also serves a farm and more recently a shop. She said that one other dwelling is unlikely to have a fundamental effect on the highway situation and that in terms of highway considerations it is matter of differing professional views. She asked the Committee to consider the application carefully with a view to approval.

Councillor Victor Hughes drew attention to the applicants' intention to remove the conifer hedge on the road side which will greatly improve visibility around the access and help current users Councillor Hughes said he supported the application.

Councillor Jeff Evans felt that the Committee had been put in an invidious position and that he found it difficult to reconcile the situation as at November when no pre-eminence was given to the visibility issue with the position now in March when the matter is put forward as a ground for refusal. He said that he believed it would be unfair to reject the application but that on the other hand he could not support it until he had had a satisfactory explanation for the change in position from November, to March.

The Senior Engineer (Development Control) said that there appeared to be a misunderstanding and that the stance taken by Highways Officers with regard to this proposal has been consistent from November to March. The visibility provided by the access which has been assessed on the current 40 mph speed restriction applicable to that part of the public highway is 50m and falls too far short of the 120m which the guidance states it should be. Although removing the conifer hedging around the access site will improve the situation, the visibility in the Highways Officer's professional opinion remains insufficient in the context of the guidance. The Officer confirmed that there was no history of road accidents in the application area.

In the ensuing discussion, Members referred to the matter of consistency in the way applications are dealt with and they highlighted that based on the evidence, there is regular usage of the current access with no detrimental effect to road safety. On that basis they were minded to approve the application but were reluctant to do so contrary to the Highways Officer's professional opinion regarding the substandard visibility provided by the access and the question of road safety which that raises. It was suggested that the application be again deferred to allow further discussions.

The Planning Development Manager suggested that it might be advisable for the Committee to consider viewing the site for itself. The Legal Services Manager concurred with this suggestion and advised that if Members are supportive of the application then viewing and assessing the site for themselves in light of the Highways Officer's opinion as a basis to then determine the application would be helpful in terms of reducing the risk of challenge or of defending a challenge to the decision should it arise.

Councillor Richard Owain Jones proposed that a site visit be undertaken to enable Members to assess for themselves the application site access and the associated risk as regards road safety. Councillor Victor Hughes seconded the proposal.

It was resolved that a site visit be undertaken for the reasons given.

7.2 46C263M – Full application for the siting of 11 log cabins for holiday purposes, construction of a new access and landscaping at Ty'n Towyn Caravan Park, Lôn St.Ffraid, Trearddur Bay

The application is presented to the Planning and Orders Committee for determination at the request of a Local Member. The application site was visited by Members of the Committee on 19th February, 2014.

The Planning Development Manager referred to the application site access and he confirmed that the access does conform to the appropriate standards for access onto the highway. The Officer's recommendation is one of approval subject to a Section 106 agreement to deliver habitat management on the remainder of the land in the applicant's ownership. The Officer explained that following further discussions, Officers have come to the conclusion that should a financial contribution towards a footway on the part of the applicant be unforthcoming as part of the application, that is not a reason for refusing the application; therefore it is proposed that that stipulation is removed from the section 106 agreement. However, it is understood that the applicant has agreed in discussions with the Highways Authority to make such a contribution.

Councillor Jeff Evans said that having visited the site his personal opinion was that the access onto the highway is dangerous but that nevertheless he accepted the Highways Officer's professional opinion and therefore proposed that the application be approved.

Councillor Kenneth Hughes said that whilst he was happy to second the proposal of approval he would like to see a provision via a planning condition to deter any link being made between the access road to the application site and the present access to the caravan site beyond. The Planning Development Manager said in response to the point raised and to a question about the continued use of the present access that there are no plans to dispense with the current access. The written report makes clear that no connection between the two sites is indicated. The Officer said however that such a provision could be incorporated within the consent.

It was resolved to approve the application in accordance with the Officer's recommendation subject to a S106 agreement to deliver habitat management on the remainder of the land in the applicant's ownership for the wider benefit of wildlife in the area over and above that offered within the application site together with the conditions listed in the written report and a condition to prevent connection of the new and existing access.

8 ECONOMIC APPLICATIONS

None were considered at this meeting.

9 AFFORDABLE HOUSING APPLICATIONS

None were considered at this meeting.

10 DEPARTURE APPLICATIONS

None were considered at this meeting.

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

None were considered at this meeting.

12 REMAINDER OF APPLICATIONS

12.1 19C1046C/LB – Application for listed building consent for demolition of part of the house at Soldiers Point, Holyhead

The application was presented to the Committee at the request of one of the Local Members.

Councillor J.Arwel Roberts, Planning Portfolio Member and a Local Member requested that a site visit be undertaken in order to be clear regarding what is being proposed as the matter is proving contentious in Holyhead. Councillor Roberts commented that he was concerned by the lack of response by the majority of the conservation bodies consulted in this matter.

Councillor Nicola Roberts proposed that the Committee conducts a site visit and her proposal was seconded by Councillor Richard Owain Jones.

It was resolved that the site be visited in accordance with the request made by one of the Local Members for the reason given.

12.2 19LPA992/CC - Full application for the replacement of two of the existing windows on the first and second floor of the front elevation with traditional timber sash windows at Dafydd Hardy, 9 Stanley Street, Holyhead

The application was presented to the Planning and Orders Committee as it is made by the Local Authority.

Councillor Kenneth Hughes proposed that the application be approved and the proposal was seconded by Councillor Nicola Roberts.

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

12.3 33C302 - Full application for change of use from a dwelling (C3) into a part (A3) hot food takeaway and part (C3) dwelling together with the creation of additional parking at Penffordd, Gaerwen

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

Councillor Victor Hughes proposed that the site be visited by the Committee for Members to see for themselves the location of the application site and the issues arising as regards highway safety. Councillor Hughes said that the Community Council also favoured a site visit. Councillor Nicola Roberts seconded the proposal.

It was resolved that a site visit be carried out in accordance with the request made by a Local Member for the reason given.

12.4 34LPA993/AD/CC – Application for the erection of 31 various signs across Bryn Cefni Industrial Estate, Llangefni

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

Councillor Nicola Roberts proposed that the application be approved and her proposal was seconded by Councillor Vaughan Hughes.

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

13 OTHER MATTERS

No other matters were considered at this meeting.

14 ORDERS

14.1 Isle of Anglesey County Council – Approval to Serve Compulsory Purchase Order.

The Legal Services Manager explained that the authority to serve compulsory purchase orders lies with the Planning and Orders Committee and requested that the Committee authorise the issue and delegate the issuing to the Legal Services Manager.

It was resolved that a Compulsory Purchase Order be served in respect of the land described in the Schedule to the report and that the Order be effected by the Legal Services Manager under powers provided under section 3.4.3.9 of the Council's Constitution.

**Councillor W.T.Hughes
Chair**