

# **PLANNING AND ORDERS COMMITTEE**

## **Minutes of the meeting held on 6 March, 2019**

<b>PRESENT:</b>	Councillor Nicola Roberts (Chair) Councillor Richard Owain Jones (Vice-Chair)  Councillors John Griffith, Glyn Haynes, Trefor Lloyd Hughes MBE, Kenneth Hughes, Vaughan Hughes, Eric Wyn Jones, Bryan Owen, Dafydd Roberts, Robin Williams
<b>IN ATTENDANCE:</b>	Planning Development Manager (NJ) Planning Assistant Senior Engineer (Highways Development Control)(EGJ) Legal Services Manager (RJ) Committee Officer (ATH)
<b>APOLOGIES:</b>	None
<b>ALSO PRESENT:</b>	Local Members: Councillor Dafydd Rhys Thomas (for application 12.4)

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### **1. APOLOGIES**

None.

### **2. DECLARATION OF INTEREST**

No declaration of interest were received.

### **3. MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting of the Planning and Orders Committee held on 6<sup>th</sup> February, 2019 were presented and were confirmed as correct.

### **4. SITE VISITS**

No site visits were undertaken following the 6<sup>th</sup> February, 2019 meeting of the Planning and Orders Committee.

### **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 FPL/208/57 – Full application for the erection of 46 dwellings together with the creation of a new vehicular access on land adjacent to Parc Tyddyn Bach, Holyhead**

The Planning Development Manager reported that the application has been called to the Planning and Orders Committee by a Local Member due to concerns about the development's relationship with adjacent residential properties. Local Members have also sought to arrange a meeting with the Applicant's Agent to discuss the concerns that

have arisen locally. It is therefore the Officer's view that it would be beneficial for the Committee's members to view the application site prior to considering the application.

**It was resolved that a site visit be undertaken in accordance with the Officer's recommendation for the reason given.**

**6.2 14C257 – Outline application for the erection of an affordable dwelling together with full details of the vehicular access and drainage with all other matters reserved on land adjacent to Cefn Trefor, Trefor**

The Planning Development Manager reported that at its meeting held on 6<sup>th</sup> February, 2019, the Planning and Orders Committee resolved to defer determining the application in order to refer the issue of the definition of "local person" and the "rural hinterland of clusters" within the meaning of Policy TAI 6 of the Joint Local Development Plan to the Joint Planning Policy Committee and to reconsider the application when a definition is agreed. The Officer said that as the JPP Panel is not scheduled to meet until 22 March, 2019 and the Joint-Committee will not meet before April, 2019, the recommendation is that consideration of the application be deferred and the application be removed from the agenda and re-introduced for further consideration and determination when definitions have been agreed by the Panel.

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

## **7. APPLICATIONS ARISING**

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

## **8. ECONOMIC APPLICATIONS**

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

## **9. AFFORDABLE HOUSING APPLICATIONS**

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

## **10. DEPARTURE APPLICATIONS**

**10.1 VAR/2018/14 – Application under Section 73A for the variation of condition (07)(Approved Plans) from planning permission reference 33C102G (Erection of 3 dwellings on plot 8, 9 and 10) to increase the size and amend site orientation to become 4 bed dwellings together with amending parking layouts at Plots 8,9 and 10, The Herb Garden, Llain Capelulo, Pentre Berw, Gaerwen**

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

The Planning Development Manager reported that the proposal entails reducing the size of two dwellings and increasing the size of one dwelling previously approved on the site as well as re-locating this dwelling within the plot. Planning permission for a housing estate on the site was given originally in 2006 with further consent for dwellings on Plots 8, 9 and 10 being granted in 2008. The application does not comply with the requirements of Policy TAI 6 in being for open market houses when under Policy TAI 6 Pentre Berw is identified as a cluster where proposals can be supported for affordable housing for local need. However, a provision for affordable housing forms part of the current estate. One letter of objection has been received on the grounds outlined in the report. Given that the site has extant planning permission and given that the amendments proposed are not considered to be a deterioration of the design and layout approved under the previous permission and do not have an impact on the adjacent

residential properties over and above what has previously been approved on the application site, the recommendation is to approve the application. The Officer said that the planning consent if granted would not be released until after the expiry of the consultation period at the close of today, 6 March, 2019.

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

**It was resolved to approve the application in accordance with the Officer's recommendation and report subject to the planning conditions contained therein and subject to no new matters being raised before the expiry of the consultation period at the close of 6 March, 2019.**

## **11. DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS**

### **11.1 48C182B/MIN – Minor amendments to the scheme previously approved under planning permission 48C182A/DA so as to amend the design on land adjacent to Bryntwrog, Gwalchmai**

The application was reported to the Planning and Orders Committee because the applicant is related to a relevant officer. The file has been reviewed by the Monitoring Officer.

The Planning Development Manager reported that the application follows on from an application recently approved by the Committee to remove planning conditions relating to the Code for Sustainable Homes and to add a condition requiring the development to be undertaken in accordance with approved plans so as to allow the applicant to submit an application under Section 73 of the Town and Country Planning Act to vary the design of the scheme. An amended scheme has been received and it is the Officer's view that the amendments proposed are non-material and as such can be dealt with under Section 96A of the Act. It is not anticipated that the amendments as detailed in the report will detrimentally affect the amenities currently enjoyed by the occupants of neighbouring properties any more than that previously approved. The recommendation is to approve the application.

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

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

### **11.2 HHP/2019/39 – Full Application for alterations and extensions together with the erection of a detached garage at Gardd y Plas, Llanddeusant**

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

The Planning Development Manager reported that the proposal involves erecting a single storey pitch roof detached garage which will be sited to the side elevation of the dwelling. The existing garage will be converted into living space to provide an additional bedroom and an utility room. The Officer said that the scheme is acceptable within its location and will not result in a reduction to the residential amenity of any neighbouring properties. As the consultation period does not expire until 8 March, 2019, the planning consent if granted, would not be released until after that date.

**It was resolved to approve the application in accordance with the Officer's recommendation and report subject to the conditions contained therein and subject to no new matters being raised before the expiry of the consultation period on 8 March, 2019.**

## 12. REMAINDER OF APPLICATIONS

### **12.1 FPL/2019/7 – Full Application for the erection of a new primary school together with the creation of a new vehicular access onto the B5109 on land opposite Bryn Meurig, Llangefni**

The application was reported to the Planning and Orders Committee as the application is being made on behalf of the Isle of Anglesey County Council.

The Planning Development Manager reported that seven responses by the public were received as part of the statutory public consultation process the substance of which is summarised in the report. A number of comments were also made as part of the 28 days statutory Pre-Application consultation. Llangefni Town Council has now submitted detailed comments and have requested that as part of the proposal, a 20pmh zone be created in the vicinity of the new school, a pedestrian crossing be installed near the roundabout, a pedestrian footway be created near the former shop site in Rhostrehwfa, sufficient street lighting be provided, and as the Cae Garw Road is prone to flooding appropriate attention is given to maintaining ditches, and the school playing field is made available for community use outside of school hours. The Officer said that whilst the proposal does already provide for a pedestrian crossing, footpath and street lighting it the Highways Authority's view that a reduction in the speed limit from 30 to 20 mph in the immediate area of the school is not necessary because of the traffic calming and mitigation measures proposed as part of the development. The need to maintain ditches is accepted and it is confirmed that the playing field under the school's management will be available for the local community out of school hours.

The need for a new school and the location proposed have been confirmed and justified by the assessments and extensive consultations undertaken by the Learning Service prior to the submission of the planning application. In terms of potential impacts, the written report addresses the areas where the proposal is likely to have the greatest effect particularly as regards traffic which is the focus of most of the concerns raised locally. A Traffic Impact Assessment has been submitted which is acceptable to the Highways Authority and traffic mitigation measures are proposed. The impacts on local biodiversity in relation to the protection of bats and Great Crested Newts can also be satisfied through the implementation of mitigation measures proposed through the relevant surveys submitted as part of the application. However, it is likely that an additional condition in relation to the lighting of the site will be necessary in order to mitigate against any potential effects on bats. The design, landscaping and impacts on the amenity of neighbouring properties are deemed to be satisfactory subject to implementing the measures outlined in the report. The proposal as submitted addresses comments made by consultees including the concerns raised locally during the pre-application and statutory consultation processes. The recommendation is therefore to approve the application.

In considering the application, the Committee referred to concerns in relation to traffic management arrangements in the vicinity of the new school specifically the adequacy of visibility at the T-Junction leading from Rhostrehwfa into Corn Hir and the impact of increased traffic in the area generally as a result of the new school which when added to the traffic already generated by the existing two schools – Ysgol Gyfun Llangefni and Canolfan Addysg y Bont - could affect road safety. The Committee suggested that as part of the process of agreeing the details of the Highways mitigation measures with the Highways Authority, further consideration might be given to the design and size of the proposed mini roundabout as well as to the intention not to designate the area outside the new school as a 20 mph zone as the Committee believed that doing so would set a good example in promoting road safety.

The Senior Engineer (Highways Development Control) advised that the proposed development does not materially change the pattern of traffic to and from the T Junction

from Rhostrehwfa into Corn Hir. However, it is intended to provide an additional footway alongside the former shop which will improve visibility to the left of the junction by widening the existing visibility splay. No measures can be undertaken with regard to the area to the right of the junction as it lies outside the boundary of the proposed development. With regard to the volume of traffic generally in the area, a traffic impact assessment has been conducted and this has not raised any issues of concern. The proposed roundabout and pelican crossing will work to reduce vehicle speed in the area.

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

**It was resolved to approve the application in accordance with the Officer's recommendation and report subject to the planning conditions contained therein and subject to an additional condition in relation to lighting to mitigate any potential effects on bats.**

**12.2 19C779N/VAR – Application under Section 73A for the variation of conditions (02) (non-food retail) and (12) (as approved drawings) of planning permission reference 19C779A and condition (01) (non-food retail) of planning permission 19C779J (Erection of an A1 class retail) so as to allow the sale and display of convenience and comparison goods together with the formation of one unit in lieu of two units at Unit 1 and Unit 2, Penrhos Business Park, Holyhead**

The application was reported to the Planning and Orders Committee because part of the access road is in the ownership of the County Council.

The Planning Development Manager reported that the proposal involves the formation of one retail unit in lieu of two units at Penrhos Business Park which are currently occupied by Home Bargains (which will be relocating to another unit within the retail park) and Argos (lease on the property has not been renewed). The development also entails external changes to the units to include new fenestration, cladding and a small extension to create a loading bay as well as alterations to the existing car park and landscaping works. The application seeks to vary the conditions for the sale and display of both convenience and comparison goods from the new unit.

The Officer said that a Planning and Retail Assessment has been undertaken as part of the submission which includes conducting a sequential test approach to determine whether there are other locations within or adjacent to the town centre which are suitable for the proposed development. The sequential test approach to site selection was based on alternative sites that could accommodate a food store of the nature proposed and concludes that there are no suitable sites within nor adjacent to the town centre. An assessment of the need for the proposal and its impact on the viability and vitality of the town centre has also been undertaken; this finds that any impact would be minimal with the greatest impact being upon the major convenience goods retailer in Holyhead and further afield in Llangefni. In addition, the applicant has submitted a report that shows the employment sites that are currently available in the area. The report concludes that there are no alternative sites available within development boundaries that would meet the specific requirements of the applicant. The proposed scheme will create added benefits in the form of approximately 40 new full-time and part-time jobs. The response of consultees is noted in the report; at the time of writing the report no response had been received from the Welsh Government's Highways Department. Subject to receiving Welsh Government Highways' response the recommendation is to approve the application.

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

**It was resolved subject to the receipt of Welsh Government's Highways Department's response, to approve the application in accordance with the Officer's recommendation and report subject also to the planning conditions contained therein.**

**12.3 FPL/2019/16 – Full application for the demolition of the existing fence together with the erection of a new fence at Anglesey Airport**

The application was reported to the Planning and Orders Committee because the application is made by the Isle of Anglesey County Council.

The Planning Development Manager reported that the proposed development is for the removal of existing timber fencing and crash gate together with the erection of a 3.22m high security fence in lieu. The majority of the site already has a 3.22m high fence. The removal of the existing low timber fence and crash gate and its replacement with a 3.22m high fence will improve security at Anglesey Airport and will also allow flights from the RAF to run with increased capacity. Erecting the proposed fence will improve the level of security to comply with the National Aviation Security programme thereby allowing the airport to increase the number of passengers per aircraft from 19 people to 29 people.

The Officer said that due to the minor nature of the proposed scheme, it is not considered that it would impact any neighbouring properties to such a degree as to warrant refusal. The recommendation is therefore to approve the application

Councillor Robin Williams proposed that the application be approved in accordance with the Officer's recommendation. Councillor John Griffith seconded the proposal.

**It was resolved to approve the application in accordance with the Officer's recommendation and report subject to the condition outlined therein and subject also to the receipt of confirmation from the MOD that it has no objection.**

**12.4 46C622/ENF – Full application for the extension to the curtilage together with the retention of a building to be used as a domestic garage and home office at Y Borth, Porthdafarch Road, Holyhead**

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

Councillor Trefor Lloyd Hughes proposed that a site visit be undertaken so that the Committee's members are better able to appreciate the proposed development within its context as well as any effects that may result therefrom. Councillor Glyn Haynes seconded the proposal.

**It was resolved that the application site be visited in accordance with the request made by a Local Member for the reason given.**

**12.5 FPL/2018/30 – Full application for the formation of a Park and Share facility together with the construction of a new vehicular access and associated development on land adjacent to Junction 7, Gaerwen**

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

The Planning Development Manager reported that the proposal is for the provision of 116 car parking spaces, cycle storage, 6 electrical charging facilities and a single bus stop which would be used for transporting nuclear construction workers to the Wylfa Newydd site. One letter of objection has been received which expresses concerns on the grounds described in the report. With regard to the response by consultees, Welsh Government's Highways Department has withdrawn its objection confirming that it does not intend to issue a directive in relation to the application. The Highways Authority is

also satisfied with the proposal and proposes conditional approval to include the submission of a Construction Traffic Management Plan. Whilst North Wales Police did not object to the proposal they have submitted comments with regard to potential anti-social uses of the development to which the applicant has responded by incorporating security measures as part of the application e.g. the use of “grass-crete” paving to deter the use of the facility as a speed track as well as the installation of lighting and cameras.

The Officer said that the proposed park and share facility is for general use by the public to reduce the number and lengths of trips made by private car. There is evidential need for the facility to serve the west and south of the Island and the A55 and it will mitigate against existing anti-social or fly parking issues with their resultant problems on a site that is available and suitable for development. The facility could also be used by construction workers in connection with the Wylfa Newydd development although this would be on an ancillary basis to the facility’s main purpose as a park and share facility for the general public. The proposal is not necessary for the construction or operation of Wylfa Newydd and has not been included in any of the assessments or plans for that scheme. The potential impacts of the proposal from an archaeological, amenity and ecological perspective have been assessed and the findings are outlined in the written report. Subject to the receipt of comments by the Council’s Drainage Section, the recommendation is to approve the application.

The Committee in considering the application, raised the following points –

- That were the application to be approved, it would mean there are 3 park and share facilities within relatively close proximity to each other taking into account the existing St Tysilio facility in Llanfairpwll and the recently approved facility at Four Crosses, Menai Bridge.
- That in light of the above, and also in view of the suspension of the Wylfa Newydd development the need for an additional park and share facility such as that proposed was queried.
- That the Joint Planning Policy Unit has identified aspects of the development where the proposal may not align with current planning policy.

The Planning Development Manager clarified that as the report outlines and as confirmed by the assessments made there is a general need for this type of facility in the location proposed. Should it be approved it would be available for use by construction workers of the Wylfa Newydd development; nevertheless its primary purpose would be to provide for the public thereby reducing car dependency and anti-social parking in the vicinity. Whilst the facility at Menai Bridge provides for people travelling along the A55 towards the North of the Island, the proposed facility would make a similar provision for the west and south of the Island. In terms of policy, whilst there are policy considerations that weigh against the proposed development specifically its not being located within or adjacent to any settlement boundary, these are balanced against the evidential need for the proposal. With regard to the Council’s expectations that such facilities be sited closer to centres, as part of the submission, the applicant has provided a sequential assessment which provides justification as to why they do not consider the proposed development can be accommodated on other sites identified in the vicinity which are adjacent or closer to the settlement boundary of Gaerwen. In addition, the application site visually bounds the Menai Science Park to the south; the park is likely to develop significantly over the next 10 years leading to a further urbanising effect in proximity to the application site.

Councillor Eric Jones said that from his own observations, the car park at the Menai Science Park is regularly full; the park and share facility at Llanfairpwll is also well used indicating that there is a need for the proposed development in this area. On that basis he proposed that the application be approved. Councillor Kenneth Hughes seconded the proposal.

**It was resolved subject to the receipt of comments from the Council's Drainage section, to approve the application in accordance with the Officer's recommendation and report subject also to the planning conditions contained therein. (*Councillors Trefor Lloyd Hughes and Bryan Owen abstained from voting*)**

**12.6 DIS/2019/7 – Application to discharge condition (08) (construction environmental plan) of planning permission 12LPA1003F/FR/CC at Castle Meadow, Beaumaris**

The application was reported to the Planning and Orders Committee as the application is submitted by the Isle of Anglesey County Council and is on part of Council owned land.

The Planning Development Manager reported that the application previously submitted for the installation of two pipes in connection with Flood Alleviation works in Beaumaris. Condition (08) required that a Construction Environmental Plan be submitted and approved by the Local Planning Authority prior to the commencement of any works and that the Plan be adhered to throughout the construction period. As part of the current application, a Reptile, Bird and Hedgerow Clearance and Mitigation Plan was submitted. Both the Council's Ecologist and Natural Resources Wales have been consulted and are satisfied that the condition is discharged subject to the works being implemented in accordance with the Construction Environmental Management Plan. The submitted Construction Environmental Management Plan is considered acceptable. Condition (08) can therefore be partly discharged and will be fully discharged when the construction works have been carried out in accordance with the Plan.

Councillor Robin Williams proposed that the application be approved; the proposal was seconded by Councillor Bryan Owen.

**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**