

PLANNING AND ORDERS COMMITTEE

Minutes of the meeting held on 1 April, 2015

- 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
Planning Assistants
Highways Officer (JAR) (for application 7.1)
Legal Services Manager (RJ)
Committee Officer (ATH)
- APOLOGIES:** None
- ALSO PRESENT:** None
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1 APOLOGIES

None received.

2 DECLARATION OF INTEREST

No declaration of interest was received.

3 MINUTES 4TH MARCH, 2015 MEETING

The minutes of the previous meeting of the Planning and Orders Committee held on 4th March, 2015 were presented and confirmed as correct.

4 SITE VISITS 18TH MARCH, 2015

The minutes of the site visits undertaken on 18th March, 2015 were presented and confirmed as correct.

5 PUBLIC SPEAKING

The Chair announced that there were public speakers in respect of applications 7.1 and 12.2

6 APPLICATIONS THAT WILL BE DEFERRED

6.1 33C304/B/ECON – Outline application with some matters reserved for the demolition of the existing farm, erection of a science park, creation of a car park together with the creation of a new vehicular access at Junction 7 of the A55 near Cefn Du, Gaerwen

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 34C553A – Outline application for the residential development, highway and associated infrastructure at Ty'n Coed, Llangefni

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 33C295B - Full application for the erection of a dwelling together with alterations to the existing access on land adjacent to 4, Nant y Gors, Pentre Berw

The application was presented to the Planning and Orders Committee at the request of the Chairman. At its meeting held on 4th March, 2015 the Committee resolved to undertake a site visit and the site visit was carried out on 18th March, 2015.

Mrs Eileen Smith, an objector to the application was invited by the Chair to address the Committee, and she drew attention to the following concerns –

- The application has been made several times during the last few years and has been refused because the access road is not considered by the Highways Department to be adequate to take more traffic.
- The proposal is outside the planning boundaries for Pentre Berw.
- The proposal is not in keeping with the rest of the village either by size or design.
- There are already difficulties in respect of parking - in her own case her property's parking area was on the corner and it was often difficult to negotiate because they were often blocked in.
- Widening the gateway to the application site would reduce parking spaces even further making things even more difficult.
- Following recent ill health which had left her wheelchair bound, she required the services of an ambulance to transport her to rehabilitation. The ambulance drivers have complained that they cannot always get round which raises the question of what would happen in an emergency situation.

There were no questions to Mrs Eileen Smith from the Committee's Members.

Mr Ieuan Davies, spoke in support of the application on behalf of his partner in whose name the application was made. He highlighted the following considerations -

- Due to issues of affordability, the difficulties facing himself, his partner and their children in purchasing a suitably sized property in the village.
- His desire to remain within the close village community of Pentre Berw to raise his family. The proposal offers the only means of their being able to achieve that locally and the application for a 4 bedroom dwelling is made on a practical basis to meet the needs of a growing family.
- The application has been in process for two years and during that time he and his partner have answered each and every concern raised including commissioning tree and bat surveys.
- The proposal provides sufficient space for parking within the application site meaning that no additional vehicles will be parked on the public highway. Arrangements will be made to ensure that traffic to the site will be able to turn and depart within the confines of the plot.
- Discussions with neighbours have shown that they believe that widening the road will create problems for children having to use a narrower pavement.
- Many of the neighbours have indicated that if required they would be willing to use the nearby public car park during the day to facilitate access to the plot.
- That he was willing to co-operate with the Council to obtain planning consent.

Members of the Committee asked several questions of Mr Davies in clarification of the parking and access situation with regard to the site and those Members who had been present on the site visit referred to the visit as confirming the existence of problems with parking resulting in other vehicles having to mount the kerb to pass and to access the application site. Members specifically sought assurance from Mr Davies that there would be unhindered access for emergency vehicles and they sought confirmation from him also that he would be willing to make improvements to the site access if necessary.

In response Mr Ieuan Davies confirmed that the access would only be used as an entrance to the site and that parking facilities will be available within the plot. He said that in any case the access is a gated entrance to a field and that no parking is meant to occur in front of it currently. The proposal will not change the situation as it already exists. The Highways Authority has confirmed it is happy with the plans and neighbours have said that they would be willing not to use that part of the road during the day. He also said that should the Council require, he would co-operate in terms of making improvements.

The Planning Development Manager reported that outline permission exists since 2012 thus establishing the principle of development on the site. The proposal is also considered compliant under Policy 50 of the Ynys Môn Local Plan as forming a small and reasonable extension to the village. Due to the distance between the proposal and neighbouring dwellings it is not considered that it will have any detrimental effect on the occupants of those properties. The Highways Authority has been consulted on the application and has raised no objections to it. The recommendation is therefore to approve the application.

Whilst the Members generally indicated that they were supportive of the proposal, several expressed serious and continuing concerns regarding the issues arising in respect of parking and access to the extent that some Members saw those issues as an obstacle to approving the application. Councillor Victor Hughes suggested that the applicant enter into discussions with the Highways Authority to establish what improvements might be made to the access to alleviate the situation and to facilitate the flow of vehicles on the road leading to the site. He further suggested that given it is in a sensitive area, the proposed development should connect to the mains drainage system if that is possible so as to avert potential pollution of a nearby stream. The Planning Development Manager confirmed the availability of the public drainage system and said that the applicant would under planning policy be expected to ensure the development connects to that system.

The Highways Officer said that the situation with regard to vehicles mounting the pavement exists already and that will not change as a result of the proposal. Whilst the Highways Authority is aware that the road is narrower than what would be required for a new road the proposal entails the erection of one dwelling only and will not add significantly to the traffic situation. However, although the Highways Authority would be willing to discuss with the applicant the possibility of widening the access road if the proposal is approved, it will not insist that he does so – that is a matter for the Committee to decide – because the Highways Authority is of the opinion that such a position could not be defended at appeal due to the existence already of outline planning permission which has established the principle of development.

Councillor Jeff Evans said that the pre-existence of access and parking problems does not make those problems acceptable and that he was worried by possible repercussions to the Council if the situation is not righted. He suggested that the proposal provides an opportunity to address the situation.

Whilst several Members favoured approval conditional upon the applicant working in co-operation with the Highways Authority to improve the access situation, another Member took the view that the applicant should not be asked to rectify problems that are not of his own making and was doubtful whether it was fair to seek such assurance of the applicant in the pressured and public setting of a formal committee meeting.

The Planning Development Manager advised that planning conditions are subject to legal test and have to be shown to be necessary. The Highways Authority as the statutory body is of the view that in this case access improvements are not necessary to grant approval to the application.

The Legal Services Manager advised that two courses of action are open to the Committee, either to approve the application as presented or to defer determining the application to allow discussions to take place between the applicant and the Highways Authority in relation to improving the access but in the context of knowing that the Highways Authority does not view such improvement works as necessary on the basis that the current situation although not ideal, is not likely to be exacerbated greatly by the addition of the proposed development.

Councillor Kenneth Hughes proposed that the application be approved as presented. His proposal was seconded by Councillor Vaughan Hughes.

Councillor Lewis Davies proposed that the Committee defers determination so that discussions can take place on the lines advised by the Legal Services Manager, and his proposal was seconded by Councillor Jeff Evans.

In the subsequent vote Councillors John Griffith, Kenneth Hughes Vaughan Hughes, Richard Owain Jones and Nicola Roberts voted to approve the application in accordance with the Officer's recommendation; Councillors Lewis Davies, Jeff Evans, Ann Griffith, Victor Hughes, Raymond Jones and W.T. Hughes voted for a deferral. The vote for a deferral was therefore carried.

It was resolved to defer determining the application in order to ask the Highways Officers to hold further discussions with the applicant to seek to establish whether improvement works to the application site's access are possible.

7.2 45C452 – Outline application for the erection of a dwelling together with full details of access on land adjacent to Stad Berllan, Llangaffo

The application was presented to the Planning and Orders Committee as it had been called in for the Committee's determination by a Local Member. At its meeting held on 4th March, 2015 the Committee resolved to undertake a site visit and the site visit was carried out on 18th March, 2015.

The Planning Development Manager reported that the key issues are the extent of the proposal's compliance with Policy 50 of the Local Plan in constituting a small and reasonable extension to the village, and drainage matters. It is the Officer's view that the proposed development would have its back to the village and thus in landscape terms it would be read as a separate development in a countryside location rather than a small infill or extension to the existing developed part of the settlement. The proposal would cut through the current reasonable boundary to the village and would begin to erode the clear definition that at present exists in this location between the village's built form and the countryside. Highways issues in terms of the provision of a safe and suitable access were also raised at the time of the site visit. A revised access arrangement would require the removal of roadside hedges which would in turn further exacerbate the landscape and visual impacts of the proposal. With reference to drainage considerations, the Planning Authority has not been persuaded that the proposal has adequately investigated connection to the main drainage system as is required under national planning policy and advice contained in Circular 10/99. For these reasons the recommendation is to refuse the application.

Councillor Ann Griffith said that she was standing down as Vice Chair for this application in order to address the meeting as a Local Member in support of the application. She referred to the applicants' familial connection with the area, and for their desire for that reason, and due to caring obligations, to remain within the village. She pointed out that this was a proposal for a modest cottage type development, which by virtue of its size and design would blend in with its surroundings and would neither be intrusive nor incongruous in the area. She said that it was her opinion that the proposal, the plot area of which fringes part of the garden of one of the properties on the neighbouring estate, does form a small extension to the village of Llangaffo and is therefore compliant with Policy 50. There are no objections to the proposal and the Rhosyr Community Council is supportive of it. Councillor Ann Griffith read out a letter by the applicants setting out their case in support of the application.

Councillor Lewis Davies said that he did have concerns regarding the proposal not least that granting it could open the remainder of the field enclosure in which it is sited and beyond to further potential development thus further intruding into the countryside, but also because of considerations of access, the removal of established hedges leading to the destruction of habitat, and the impact on the landscape and the village. He proposed that the application be refused in accordance with the Officer's recommendation and his proposal was seconded by Councillor Victor Hughes.

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

8 ECONOMIC APPLICATIONS

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

9 AFFORDABLE HOUSING APPLICATIONS

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

10 DEPARTURE APPLICATIONS

10.1 24C268G/VAR – Application under Section 73 for the variation of condition (02) from planning permission reference 24C268D (Renewal of outline permission for the erection of a dwelling) so as to allow a further year to submit a reserved matters application at Plot 2, Cerrig Man, Amlwch

The application is presented to the Committee as the application is a departure from the Development Plan which the local Planning Authority is minded to approve

The Planning Development Manager reported that the application is to renew application 24C268D approved in March, 2012. Whilst Cerrig Man is not identified as a settlement under the Development Plan, it is identified as a countryside hamlet under the Stopped Ynys Môn Unitary Development Plan, and given the advanced stage reached in the preparation of the Stopped UDP, weight can be given to its provisions such as to outweigh the provisions of the Development Plan in this instance. Moreover, there is, and has been planning consent on the site since 2009. There are no objections to the proposal on technical grounds; the recommendation is therefore to approve the application.

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

It was resolved to grant delegated powers to permit the application subject to the conditions listed and following the expiration of the neighbouring notification and the consideration of any other representations received at that time.

10.2 25C198B – Full application for the erection of a dwelling on land adjoining Maes Cyhelyn, Llanerchymedd

The application is presented to the Planning and Orders Committee as the majority of the application site is outside the development boundary of the Ynys Môn Local Plan.

The Planning Development Manager reported that whilst the majority of the application site is outside the development boundary of the Ynys Môn Local Plan, the settlement boundary for Llanerchymedd has been amended in the Stopped Unitary Development Plan and the application site is substantially within the boundary of the Stopped UDP. In light of the advanced stage reached in the preparation of the Stopped UDP, weight can be given to its provisions such as to outweigh the provisions of the Development Plan in this instance. Outline planning permission was granted on the site in January 2009 and a reserved matters application for a dormer bungalow was approved in May, 2009. The current application seeks full permission for the erection of a single storey dwelling, and in the Officer's opinion in terms of its siting, design and appearance it is considered acceptable and indeed an improvement on the previously approved proposal, which will not impact on the amenities of the area. The recommendation is therefore one of approval.

Councillor Kenneth Hughes proposed that the application be approved and the proposal was seconded by Councillor Lewis Davies.

It was resolved to grant delegated powers to permit the application subject to the conditions listed and following the expiration of the neighbouring notification and the consideration of any other representations received at that time.

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

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

12 REMAINDER OF APPLICATIONS

12.1 14LPA1011/CC – Full application for the erection of a storage facility/warehouse building at Plot 12, Mona Industrial Estate

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

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

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

12.2 15C116G – Full application for alterations and extensions at 5 Bythynnod Gwennlyr, Malltraeth

The application is presented to the Planning and Orders Committee as it has been called in by a Local Member.

Mr Henri Hughes addressed the Committee in support of the application to the effect that as a neighbour of the applicants he had contacted them of his own volition to speak for the proposal which would in his opinion, represent a fitting conclusion to a series of improvements made to the complex by the applicants over the course of several years and would not impede on himself as the nearest neighbour and resident of Ty Pigyn. He said that it was his opinion that new builds can sometimes be more of a blot on the landscape than what is proposed under the current application and that the Committee can decide in terms of black and white or can take the middle course of common sense.

Councillor Ann Griffith said that she was standing down as Vice-Chair for this application in order to address the meeting as a Local Member in support of the application. She emphasised the accommodation needs of the family who currently live in a one bedroom cottage on site, in caring for two autistic grandsons whose challenging behavioural needs require separate bedrooms. She said that although Bodorgan Community Council objects to the proposal on account of its size, the neighbours are supportive of it. The proposal will complete the complex which was once in ruins but which now comprises converted buildings of a high standard.

The Planning Development Manager reported that this is the applicants' third application within the last twelve month period. The main planning consideration is whether the scale and design of the proposed extension would affect the character of the original building as well as the conversions in the vicinity and the AONB. Although sympathetic to the applicants' situation, the Officer is of the opinion that the proposal is still unacceptable in terms of scale and design being even larger than that previously refused by the Committee in October, 2014. As such it is considered that the proposal would detrimentally impact the character of the surrounding amenities and the AONB and is therefore not compliant with planning policy. The Officer's recommendation is one of refusal.

Whilst the majority of the Committee's Members took the Officer's view of the proposal as being an overly large development of the existing building, and thus likely to impact to an unacceptable degree on the surrounding area and landscape, Councillors Jeff Evans, Vaughan Hughes and Nicola Roberts took an opposing view in believing that the proposal seeks to meet specific needs and that in the context of the area in general where there are other large properties, it would not unduly harm the surrounding landscape having enough space around it to mitigate any impact.

Councillor Lewis Davies proposed that the application be refused in line with the Officer's recommendation and his proposal was seconded by Councillor Kenneth Hughes. Councillor Jeff Evans proposed that the proposal be approved and his proposal was seconded by Councillor Nicola Roberts. In the subsequent vote the proposal to refuse the application was carried.

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

12.3 19LPA1014/CC – Full application to change external wall and roof cladding together with the erection of a storage building at Penrhos Industrial Estate, Holyhead

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

Councillor Vaughan Hughes proposed that the application be approved and his proposal was seconded by Councillor Lewis Davies.

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

12.4 25C248 – Full application for the change of use of building from retail to launderette at Unit 1, Maes Athen, Llanerchymedd

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

Councillor Lewis Davies proposed that the application be approved and the proposal was seconded by Councillor Kenneth Hughes.

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

12.5 39LPA1012/TPO/CC – Application to remove 1 ash tree, reduce 1 ash tree and works to 1 sycamore tree which are protected by a Tree Preservation Order at Old Reservoir, Menai Bridge

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

Councillor Victor 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 recommendation subject to the condition set out in the written report.

13 OTHER MATTERS

13.1 14C164E – Full application for the erection of a pair of dwellings, creation of a new vehicular access together with the installation of a package treatment plant on land adjacent to Tryfan, Trefor

The application is presented to the Planning and Orders Committee because the applicant is a friend of a relevant officer under paragraph 4.6.10.2 of the Constitution. The application has been scrutinised by the Monitoring Officer as required under the said paragraph.

The Planning Development Manager reported that at its 4th February, 2015 meeting, the Committee determined to approve the application subject to the resolution of drainage matters. Additional drainage details have since been received and the Drainage Section has confirmed that the scheme is acceptable. However, additional correspondence has also been received from members of the public and in order that their concerns are given due consideration, the application is being referred to the Committee for determination. The proposal has not been amended since it was granted approval by the Committee on 4th February, 2015. The Officer said that the concerns raised as documented in the written report are factors that have been considered in dealing with the application originally and are not considered to carry sufficient weight to warrant refusal of the application.

Councillor Kenneth Hughes proposed that the Committee adheres to its previous decision to approve the application and his proposal was seconded by Councillor Richard Owain Jones.

It was resolved to note the information presented and to reaffirm the Committee's previous approval of the application.

**Councillor W.T.Hughes
Chair**