

PLANNING & ORDERS COMMITTEE

Minutes of the meeting held on 25th July 2012

PRESENT: Councillor J.Arwel Roberts (Chair)

Councillors W.J.Chorlton; E.G.Davies; R.Dew; Lewis Davies;
Jim Evans; W.T.Hughes; K.P.Hughes;
Clive McGregor; R.L.Owen; Eric Roberts;
H.W.Thomas;

Councillor R.LL.Hughes (Portfolio Member)

IN ATTENDANCE: Planning Development Manager (DFJ);
Planning Assistant(AMG);
Legal Services Manager (RJ);
Senior Engineer (Development Control(EJ));
Development Control Officer (RE);
Committee Officer(JMA) ;

1 APOLOGIES/ANNOUNCEMENTS

There were no apologies for absence.
The Chair welcomed Councillor Vaughan Hughes to his first meeting of the Planning and Orders Committee. The Chair explained that Councillor Hughes would not be participating at the meeting until such time as he had undertaken the necessary training.
The Chair referred to the imminent retirement of both Maureen Guiney and Jan Adams. He thanked them for their contribution to the Committee and wished them well for the future.

2 DECLARATION OF INTEREST

Declarations of interest were received and recorded under the respective items.

3 MINUTES

Submitted and confirmed as a true record, the minutes of the meeting of the Planning and Orders Committee held on 4th July 2012.

4 SITE VISITS

Submitted and confirmed – the minutes of the Site Visits held on 18th July 2012 subject to the inclusion of Councillor Hefin Thomas being present at both site visits.

5 PUBLIC SPEAKING

The Chair reported that there would be a public speaker in respect of applications 7.1, 7.3, 12.3 and 12.6.

6 DEFERRED APPLICATIONS

6.1 – 16C48G – Full application for the erection of an agricultural shed at Ger y Bryn, Bryngwran.

The Planning Development Manager reported that his recommendation was one of deferral to allow on going discussions with the applicant/agent regarding the agricultural need for the proposed shed and the possibility of amending the plans to reduce the shed in size and re-locate nearer to the existing dwelling house.

RESOLVED to defer consideration of the application in accordance with the Officer's recommendation.

6.2 – 20C277 – Full application for the erection of one wind turbine with a maximum hub height of up to 44m, rotor diameter of up to 56m and a maximum upright vertical tip height of up to 72m together with the erection of a transformer station, utility housing and new access track and hard standing on land at Tai Hen, Rhosgoch.

Declaration of interest by Councillor W. T. Hughes.

The Planning Development Manager reported he considered it necessary for Members to undertake a site visit to appreciate the scale and context of the proposed turbine before making a resolution on the application.

RESOLVED that the site be visited in accordance with the Officer's recommendation.

6.3 – 44C292 - Full application for the erection of one wind turbine with a maximum hub height of up to 44m, rotor diameter of up to 56m and a maximum upright vertical tip height of up to 72m together with the erection of a transformer station, utility housing and new access track and hard standing and formation of a new link road near the junction with the B5111 on O.S. field numbers 0268 and 6366, land associated with Llety, Rhosybol.

Declaration of interest by Councillor W. T. Hughes.

The Planning Development Manager reported he considered it necessary for Members to undertake a site visit to appreciate the scale and context of the proposed turbine before making a resolution on the application.

RESOLVED that the site be visited in accordance with the Officer's recommendation.

The Planning Development Manager reported that Members had been invited to visit Moel Molgan near Llanrwst, however, he did not believe this to be appropriate at this juncture as Members should visit the site of the current applications as outlined above. He added that the Planning Department may arrange for Members to visit other North Wales sites in the future if it was deemed useful.

7. APPLICATIONS ARISING ON THE MINUTES

7.1 – 14C42J – Full application for the erection of a water treatment building, sludge thickeners, holding tank, construction of a site access road, erection of security fencing and associated landscaping at Cefni Treatment Works, Bodffordd.

The application was brought to the Committee at the request of the Local Member, Councillor W.I. Hughes. At its meeting held on 4th July, Members accepted the Officer's recommendation that the site visit should be visited prior to determining the application. The site was subsequently visited on 18th July 2012.

The Chair invited Mr Arwel Stephen, an Objector, to address the Committee.

Mr Stephen said he represented the residents of Cefni Cottages and the neighbouring farm Ty Gwyn. He emphasised there was no objection to the development in principle, however, there were serious concerns regarding the appearance, siting and the systems within the proposed new building – all of which were matters which the Committee could rule over.

He asked the Committee to consider the following:-

- To include a condition that the new building be constructed of stone or pebbledashed;
- To reduce the height of the building ;
- To re site the building further away from the cottages;
- That a condition be included for the earth mound to be commenced within 12 months of the date of commencement of the development, bearing in mind that the mound will take 4 years to be effective as a screening element;

The Chair invited Mr Howard Jones, a Supporter of the application, to address the Committee. Mr Jones made the following comments:-

- The development is necessary so as to meet the need of the Water Inspectorate;
- Other areas on the site are crossed by pipe lines therefore re siting the building was not an option;
- The height of the proposed building had been reduced to the minimum required following meetings with residents of the cottages;
- There are no windows in the gable end of the cottages and the building will be 55 metres away;
- A 5m high bund will be planted with fast growing trees and shrubs which will, in due course, completely screen the building;
- There will be no increase in the amount of type of chemicals used at the plant;
- There will be no additional traffic once the development is operational;
- During the construction period, the site will be managed in a safe and proper manner;
- He confirmed the building could not be re sited as the existing pipe lines are in use;

The Local Member, Councillor W.I.Hughes, made the following comments:-

- The siting of the building is unacceptable and should be re sited further to the left, closer to the trees;
- The height of the building caused concern and would reduce the value of the neighbouring properties;
- Carbon used in the proposed building would be a source of danger;
- No consultation had taken place with the Cefni Angling Club whose access road runs alongside the cottages;
- Improvements to the road to include an additional passing space should be agreed;
- Steps should be taken to deter boy racers;
- Restriction as to working hours should be imposed;
- Important that the views of the Environmental Health Section are received and considered;
- Application should be refused and the proposed building re sited for the benefit of residents;

The Planning Control Manager reported that:-

- The site has been visited;
- Use of carbon at the processing plant is a Health and Safety issue;
- Reaffirmed the height/distance of the proposed building to the cottages and that only one or two metres of the building would be visible once the screening had been established;
- Noise nuisance – Environmental Health Section looking further into the matter but initial information response had been that there would be no problems in this respect;
- A condition would be imposed regarding landscaping and the planning department could be flexible as to when that landscaping should commence;
- A condition regarding traffic control would be imposed;
- A condition regarding working hours would be imposed;
- Anti Social Behaviour is not a planning consideration;

- The proposal is necessary so as to ensure the continuation of the water supply to the island and is for the benefit of the public at large.
- He reaffirmed his recommendation as one of approval;
- A condition regarding the colour of the building could be included;

The senior Engineer (Development Control) that a traffic management plan would be agreed with the developer. The amount of traffic at the site would not increase following completion of the new building.

In concluding, the Planning Control Manager reported that he was satisfied the general infrastructure to the site was satisfactory, conditions had been included as part of his report to the Committee, in addition a highways condition would be imposed as well as any condition in respect of noise which the Environmental Health Section may wish to impose. He would be willing to include a condition as to the colour of the building but the design and siting would remain as submitted by the applicant.

Councillor John Arwel Roberts proposed and councillor Eric Roberts seconded the proposal that the application be approved.

RESOLVED to approve the application in accordance with the Officer's recommendation and subject to the conditions outlined within the report and as agreed at the Committee meeting.

Councillors J.Chorlton, W.T.Hughes and R.L.Owen abstained from voting as they were not present at the site visit.

7.2 – 24C192D – Erection of a wind turbine with a maximum hub height of up to 15m, rotor diameter of up to 7.5m and maximum upright vertical tip height of up to 19m on land at Rhiwlas, Nebo, Penysarn.

Declaration of interest by Councillor C.McGregor – not participating in the discussion or voting as he had not been present at the site visit. Councillor Hefin Thomas also abstained from discussing or voting on the application as he had not attended the site visit.

The application was represented following the Committee's resolution to refuse the application contrary to Officer's recommendation as it believed there would be an adverse impact on the landscape.

The Planning Development Manager drew attention to the fact that the Planning Department's Landscape Officer raised no objection to the application, however, two additional letters had been received since the application had been deliberated at Committee (one from a supporter and one from the applicant). The Officer's recommendation remained one of approval.

Councillor R.L.Owen proposed and Councillor John Chorlton seconded that the application be refused.

RESOLVED to reaffirm the decision to refuse the application contrary to the Officer's recommendation.

7.3 – 39C291A/1 – Erection of a block of flats containing 6 no., 2 bed flats on land at Menai Quays, Water Street, Menai Bridge.

The application was reported to the Committee as the application comprises a departure which Officers are recommending for approval. At the Planning Committee meeting held on 4th July it was resolved that the site be visited in accordance with the Officer's recommendation. That site visit took place on 18th July 2012.

The Chair invited Mr Rhys Davies, Objector, to address the meeting. Mr Davies reported that the owners of the Victoria Hotel were not objecting to the development of the area of the application in general but they felt this application was a stage too far. The third floor of the block of flats and the roof would be clearly visible from the rear of the Hotel. He reminded Members the Victoria Hotel is a Listed Building and the proposal would seriously affect the premises. He quoted from Circular 61/96 and referred to the policies appertaining to protecting Listed Buildings. He suggested the applicant revert to the original proposal or move the current proposal to the right as had been proposed by the owners of the Victoria Hotel. The original application conformed with the requirements of protecting Listed Buildings and Conservation Areas. The Hotel employs 45 persons and is used for many functions including weddings – the view from the rear of the Hotel should be protected.

The Chair invited Mr Owen Evans to address the meeting in support of the application. Mr Evans reported on the details of the application and stated that:-

- Planning permission for a 3 story development on the site was approved in 2007;
- The overall height of the proposed development will be the same as approved in 2007;
- The scale and massing will be reduced in comparison to the 2007 scheme;
- The apartment block will blend in with the 2 blocks on Water Street;
- The footprint of the proposal has been reduced in comparison to the 2007 scheme;
- The application was validated in June 2011 and discussions have taken place with Council Officers to alleviate all concerns. The Officer's recommendation is one of approval and the Conservation department also supports the application.
- 90% of the original 2 blocks already built have been sold to local people;
- The flats will add to the local economy and the Water Street development as a whole has greatly improved the economy of the area by providing housing, boat storage and launching facilities, Chandlery, Dylan's restaurant with Halen Môn opening a shop in the Chandlery building in the near future;
- The Local Authority has assessed the impact of the development on the setting of the three Grade 11 listed buildings and has given special regard to the desirability of preserving the setting of those buildings. The LPA has undertaken assessment of the potential impact that the development would have on the character or appearance of the conservation area so as to ensure that the development would preserve or enhance the character or appearance of the conservation area and had concluded the impact will be a positive impact.

In response to questions by Members, Mr Evans said the 2007 scheme had not been started and had been amended so as to meet housing need and reduce impact locally. He was unable to confirm who has responsibility for the party wall.

The Local Member, Councillor Keith Evans said:-

- he opposed the application,
- the Menai Bridge Town Council vehemently opposed it;
- the Victoria Hotel plays an important part in the life of Menai Bridge.
- The proposal is in conflict with both the conservation area and the three adjacent Listed Buildings.
- Interest had intensified in developing this area over the past fifteen years with a large number of applications having been submitted by the same developer. He had misgivings about applications being granted approval followed by a further application which meant "moving the goalposts." He reminded Members that this application was refused 5 years ago and nothing had changed since that time;
- The Officer's 22 page comprehensive report had reached the incorrect conclusion;
- He referred to paragraph 4 of Page 28 of the report where recognition was given to the importance of the Victoria Hotel as a Listed Building and the adverse effect the proposal would have both visually and economically;
- He emphasised Listed Buildings have a right to outlook and a right to be looked at;
- He believed that the evidence to refuse the application to be strong and that it could be won at an appeal if necessary;

- He commended the Officer's protective policies with regard to Listed Buildings but expressed disappointment in the illogical, incredible conclusion reached in the Officer's report.

Councillor K.Hughes quoted from literature relating to Listed Buildings and said the proposal would be a negative contribution to the significance of the assets and affect the ability to appreciate the assets. He believed this to be relevant to the Victoria Hotel. Currently, the Victoria Hotel can be viewed from the lower road, in the event of the proposal being approved, that view would be obscured.

He proposed that the application be refused contrary to the Officer's recommendation.

Councillor H.Thomas drew attention to the number of people employed at the Victoria Hotel and to the possible impact this proposal would have on those 45 persons. The area had been designated a Conservation Area in 2004 for specific reasons. He referred to Planning Policy Wales 657 which clearly protects against the effect on a Listed Building or setting. He reminded Members that there are three Listed Buildings in this particular area. He spoke of the Seminar held on 18th July 2012 where special reference was made to Listed Buildings and under Circular 61/96 for the need to protect such buildings. He concluded by drawing attention to the fact that the application is a departure application.

He seconded the proposal that the application be refused contrary to the Officer's recommendation.

Councillor Lewis Davies concurred with Councillor Thomas' comments.

The Planning Development Manager said the report had been prepared by the Head of Service and confirmed all legal duties had been met. Clearly, he said, this is a difference of opinion between the Supporter and Objector to the application and between the Officer and Members. Consideration had been given as to the effect on the Listed Buildings and the Conservation Area; as to economic viability, he was not in a position to comment. He believed the conclusions contained within the report to be highly relevant. He reaffirmed the recommendation to be one of approval.

RESOLVED to refuse the application contrary to the Officer's recommendation. The reasons given for the decision were that the proposal would have a detrimental effect on both a Conservation Area and on the three adjacent Listed Buildings.

In accordance with the Council's Constitution, the application was automatically deferred to the next meeting to allow Officers the opportunity to prepare a report in respect of the reasons given for refusing the application.

(Councillors John Chorlton, W.T.Hughes and R.L.Owen did not participate in the discussion or voting on the application as they had not attended the site visit.)

7.4 – 41C125A – Full application for the siting of a temporary 60m high anemometer on land at Bryn Eryr Uchaf, Nr Pentraeth.

The application was brought to the Committee at the request of the Local Member. At its meeting held on 4th July the Committee resolved to refuse the application contrary to the Officer's recommendation. The reason given for refusal was that the proposed anemometer mast will have an adverse visual impact in the landscape due to the size of the structure.

The Planning Development Manager reported that two further letters of objections had been received, however, no additional information had been contained in the letters. His recommendation remained one of approval.

Councillor Hefin Thomas proposed and Councillor Eric Roberts seconded that the application be refused.

RESOLVED to reaffirm the decision to refuse the application contrary to the Officer's recommendation.

The Planning Development Manager informed Members that training would be arranged with regard to wind turbines prior to the next meeting of the Planning and Orders Committee. He added that the Draft Supplementary Planning Guidance would be discussed at the Environmental and Technical Scrutiny Committee on 26th July and thereafter be subject to a six week consultation period. He would expect the Guidance to be operational before the end of 2012.

8 ECONOMIC APPLICATIONS

None to be considered at this meeting.

9 AFFORDABLE HOUSING APPLICATIONS

None to be considered at this meeting.

10 DEPARTURE APPLICATIONS

10.1 – 19C641H – Full plans for the erection of eight dwellings together with the construction of a new vehicular access on land adjacent to Garreglwyd Park Estate, Holyhead.

The application was presented to the Committee as an application which is contrary to the adopted Ynys Môn Local Plan and stopped Unitary Development Plan that the Officers are minded to approve.

Councillors Eric Roberts proposed and J.Chorlton seconded that the application be approved.

RESOLVED to approve the application in accordance with the Officer's recommendation and subject to the conditions outlined within the Officer's report.

10.2 – 30C293D – Outline application with some matters reserved for the partial demolition of existing buildings and erection of a new dwelling on land adjacent to Bwlch Holiday Park, Bwlch, Tynyngongl.

The application is a Local Plan departure which in light of the weight that can be given to the UDP is considered acceptable and the recommendation was one of approval.

Councillors K.Hughes proposed and J.Chorlton seconded that the application be approved.

RESOLVED to approve the application in accordance with the Officer's recommendation and subject to the conditions outlined within the Officer's report.

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

11.1 – 19C222G – Full application for the erection of 3 dwellings at Former Scout Hall, Garreg Domas, Holyhead.

The application is brought to Committee as the applicant is related to a "relevant officer" as defined within paragraph 4.6.10.2 of the constitution. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

Councillors John Chorlton proposed and E.Roberts seconded that the application be approved.

RESOLVED to approve the application in accordance with the Officer's recommendation and subject to the conditions outlined within the Officer's report.

12 REMAINDER OF APPLICATIONS

12.1 - - 12C266G – Demolition of units 7 to 10 and the erection of 4 sheds in place, alterations to existing building together with the construction of an amenity block at Gallows Point, Beaumaris.

The application was reported to Committee as the Isle of Anglesey County Council owns the land.

Councillors John Chorlton proposed and K.Hughes seconded that the application be approved.

RESOLVED to approve the application in accordance with the Officer's recommendation subject to an amendment to condition 7 so as to clarify the wording of that condition.

12.2 – 14C231 – Full application for improvement works comprising of a natural local stonework planter on land adjacent to Ty Sardis, Bodffordd.

The application was reported to Committee as the Isle of Anglesey County Council owns the land.

Councillors Eric Roberts proposed and J.Chorlton seconded that the application be approved.

RESOLVED to approve the application in accordance with the Officer's recommendation and subject to the conditions outlined within the Officer's report.

12.3 – 19C1058A – Full application for the erection of a two storey extension to the rear of 52 Cambria Street, Holyhead LL65 1NH.

The application was brought to Committee at the request of the Local Member, Councillor C.L.Everett.

RESOLVED to defer consideration of the application at the Officer's request.

12.4 – 19C1098 – Full application for the change of use of the former post office into a hot food take away at 4 Church Terrace, Holyhead.

The application was brought to Committee at the request of the Local Member Councillor Trefor Lloyd Hughes. The Officer's recommendation was one of refusal.

Councillors Eric Roberts proposed and Eurfryn Davies seconded that the application be refused.

RESOLVED to refuse the application in accordance with the Officer's recommendation and for the reasons outlined within the Officer's report.

12.5 – 25LPA811B/CC – Conversion of former dwelling and outbuildings into 3 dwellings together with the installation of a new sewage treatment plant and alterations to the existing access at Prys Owain Fawr, Carmel.

The application is submitted by the County Council and the Officer's recommendation is one of approval.

Councillors K.Hughes proposed and J.Evans seconded that the application be approved.

RESOLVED to approve the application in accordance with the Officer's recommendation and subject to the conditions outlined within the Officer's report.

12.6 – 33C289B – Full application for the demolition of the dwelling and garage, erection of four two storey detached dwellings, together with alterations to the vehicular access at Ty Newydd, Pentre Berw.

The application was brought to Committee at the request of the Local Member, Councillor Eric Jones. The Officer's recommendation is one of approval.

Mr Rhys Davies spoke as a supporter of the application. He stated that there was outline permission for four dwellings on the land. People had objected to that first permission, however, the principle had been established. The Highways Department had secured an improvement to the outline proposal by way of a passing place in the highway.

Councillor Jones said he objected very strongly to the application and read from the minutes of the meeting held on 5th October 2011 when he believed Members had been misled regarding traffic restrictions and turning spaces as there is no restriction and the road is a dead end with no passing places. He urged Members to visit the site as he believed his credibility had been compromised.

RESOLVED that the site be visited as requested by the Local Member for clarification purposes.

Members were requested to note that the Site Visits have been deferred and will now be held on 22nd August as the Anglesey Show will be in progress on the 15th August.

12.7 – 34C637 – Formation of new access on land between Plas Arthur and Canolfan Penrallt, Penrallt, Llangefni.

The application was brought to Committee as part of the application site is on County Council owned land. The Officer's recommendation is one of approval.

Councillors John Chorlton proposed and Eric Roberts seconded that the application be approved.

RESOLVED to approve the application in accordance with the Officer's recommendation and subject to the conditions outlined within the Officer's report.

12.8 – 34LPA121N/CC – Variation of conditions (06) and (07) of planning permission 34LPA121M/CC/ECON at Ysgol Gyfun, Llangefni.

The application was reported to Committee as the Isle of Anglesey County Council is both the applicant and the landowner. The Officer's recommendation was one of approval.

Councillors John Chorlton proposed and Eric Roberts seconded that the application be approved.

RESOLVED to approve the application in accordance with the Officer's recommendation and subject to the conditions outlined within the Officer's report.

12.9 – 34LPA121P/CC – Installation of biomass wood pellet boiler unit in connection with the new school to be erected on land at Ysgol Gyfun, Llangefni.

The application was reported to Committee as the Isle of Anglesey County Council is both the applicant and the landowner. The Officer's recommendation was one of approval subject to no objection being received from the Council's Environmental Services Section.

Councillors John Chorlton proposed and Hefin Thomas seconded that the application be approved.

RESOLVED to approve the application in accordance with the Officer's recommendation and subject to the conditions outlined within the Officer's report.

12.10 – 34LPA791B/CC – Installation of an 8kw solar PV system on the roof of Anglesey Business Centre, Bryn Cefni, Industrial Estate, Llangefni.

The application was reported to Committee as the Isle of Anglesey County Council is the landowner. The Officer's recommendation was one of approval subject to conditions.

Councillors Eurfryn Davies proposed and Hefin Thomas seconded that the application be approved.

RESOLVED to approve the application in accordance with the Officer's recommendation and subject to the conditions outlined within the Officer's report.

13 OTHER MATTER

13.1 – Wind Turbine or Associated Developments.

A report by the Head of Planning Service in relation to representations received in respect of wind turbine or associated developments by third parties was submitted. The report referred to the unprecedented number of representations received with regard to individual applications and to the costs involved in acknowledging each representation. The Head of Planning Service had therefore decided that the current practice of acknowledging and advising third parties of decisions relating to wind turbine and associated development applications would cease until further notice.

Councillor Hefin Thomas disagreed with the decision taken and believed every letter should be acknowledged as a matter of courtesy. Councillor Chorlton agreed with Councillor Thomas and added that the decision should have been taken at Committee not by an Officer. Councillors, Eurfryn Davies, Jim Evans and Eric Roberts agreed with those comments.

The Portfolio Member, Councillor R.LI.Hughes emphasised it is not a statutory requirement to acknowledge each communication and that the cost of doing so had to taken into consideration. However, he assured Members he would report on the Committee's views to the appropriate Officer.

RESOLVED to request the Portfolio Member to discuss this matter further with the Officer and express the Committee's views and concerns.

The meeting commenced at 1.00 p.m. and was drawn to a close at 2.40p.m.

**COUNCILLOR J.ARWEL ROBERTS
CHAIR**

Draft