

# PLANNING AND ORDERS COMMITTEE

## Minutes of the meeting held on 3 April 2013

- PRESENT:** Councillor J Arwel Roberts (Chair)
- Councillors W J Chorlton, E G Davies, R Dew, Jim Evans, K P Hughes, Vaughan Hughes, R L Owen and Eric Roberts
- IN ATTENDANCE:** Planning Development Manager (DFJ)  
Planning Assistants  
Senior Engineer – Development Control (EDJ)  
Legal Services Manager (RJ)  
Committee Officer (ATH)
- APOLOGIES:** Councillor Lewis Davies and W T Hughes
- ALSO PRESENT:** Local Members: Councillor Thomas Jones (application 10.1); Councillor R.G.Parry, OBE (application 11.2); Councillor Derlwyn Hughes (application 12.2)
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### 1 APOLOGIES

Apologies for absence were submitted as noted above.

### 2 DECLARATION OF INTEREST

No declaration of interest was received.

### 3 MINUTES 6TH MARCH, 2013 MEETING

The minutes of the previous meeting of the Planning and Orders Committee held on 6<sup>th</sup> March, 2013 were confirmed as correct.

### 4 SITE VISITS

No site visits were held following the 6<sup>th</sup> March, 2013 meeting of the Planning and Orders Committee.

### 5 PUBLIC SPEAKING

The Chair announced that there were public speakers present in respect of applications 7.1, 11.1 and 12.2.

### 6 APPLICATIONS THAT WILL BE DEFERRED

#### **6.1 39C285D – Full Application for the erection of 17 dwellings on land at Lôn Gamfa Menai Bridge.**

The Planning Development Manager informed the Committee that additional/amended information in respect of the application in relation to the site access and ground levels is currently being consulted upon and that the application will be the subject of a report once the notification period has ended. For that reason the recommendation is to defer consideration of the application.

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

## **7 APPLICATIONS ARISING**

### **7.1 19C313A – Outline Application for the erection of 22 dwellings together with the construction of a new access on land between Pentrefelin and Waenfawr Estate, Holyhead**

*(Councillors R.L.Owen and Jim Evans let it be known that they had not been present on the site visit in relation to this application and would not be voting on the matter).*

The Planning Development Manager informed the Committee that since the agenda was published, correspondence has been received from the applicant's agent stating that a meeting has been arranged on 17<sup>th</sup> April with the Highways Department to discuss the matter of the site access. The Officer said that he was therefore requesting the Committee to defer consideration of the application at today's meeting in order to allow this meeting to take place. The substance of the discussions and outcome of that meeting may possibly influence the application, so under the circumstances, Officers are prepared to defer consideration of the application.

Councillor W.J.Chorlton expressed certain reservations regarding a further delay given the time in which the application had been in the offing, and he suggested that the matter of the access might be addressed via the imposition of a condition stipulating that an agreement must be reached as to the access to the site.

Councillor Kenneth Hughes said that the access issue is material and needs to be discussed and that he was therefore proposing that consideration of the application be deferred. His proposal was seconded by Councillor Eric Roberts.

**It was resolved to defer consideration of the application for the reason outlined.**

## **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 38C180D - Outline Application for the erection of a dwelling together with the creation of a new vehicular access on land at Gilfach Glyd, Llanfechell**

The application was presented to the Committee as it comprises a departure that Officers are minded to approve.

The Planning Development Manager drew the Committee's attention to the fact that an outline application for the erection of a dwelling and creation of a new access was approved in June, 2011 albeit for a smaller sized plot; however the application under consideration is larger and the illustrative position of the dwelling is different hence the need for its resubmission and reapproval.

Councillor Thomas Jones as the Local Member stated that whilst he did not object to the application in principle he wished to highlight the existence on site of a sewerage pipe and the need subsequently to allow for a leeway of 12 metres between the pipe and any proposed building which had necessitated the repositioning of the proposed development. He also wished to note that the development site is situated at the edge of the indicative boundary of Mynydd Mechell and that because of the need to locate the building at a distance from the sewerage pipe, the proposed dwelling will now stand alone and will appear more conspicuous. Councillor Jones said that although he was comfortable with the application as such, other similar applications have been refused and he believed that this application was at the limit of the interpretation of policy.

There were queries from a Member of the Committee regarding the approach in such cases particularly in terms of consistency and given that the proposed development above will now be more obvious being situated towards the centre of the field in which it is to be sited.

The Planning Development Manager advised that each application must be assessed and determined on its own merits based on the material considerations and information to hand. The Chair reiterated that there is already planning consent for part of the site.

Councillor Kenneth Hughes proposed that the application be approved; Councillor R.L.Owen seconded the proposal.

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

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

### **11.1 36C323 - Outline application for the erection of a dwelling together with the construction of a vehicular access on land adjacent to Awel Haf, Llangristiolus**

The application was reported to the Committee as the applicant is related to a Local Member. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

The Chair invited Mr Rob Hughes to address the Committee in support of the application.

Mr Hughes spoke to the Committee on the following points –

- The application clearly falls within Policy 50 of the Ynys Môn Local Plan and Policy HP4 of the Stopped Unitary Development Plan. The applicant deems it to be a reasonable minor extension of the defined settlement of Llangristiolus.
- Single plot applications on the edge of a settlement are considered acceptable under Policy 50. It is considered that the application complies with Policy 50 in that it is situated within the already defined, natural and logical boundary of the settlement. There are 3 dwellings that extend beyond the proposed application on the other side of the B4422 and within the established 40mph zone.
- Although it is accepted that the plot is in an open agricultural field, the applicant does not consider it to significantly contribute to the character of the locality. The Officer's evidential view on this point would be appreciated.
- The fact that the application could result in future development of this agricultural land cannot be a material consideration as all applications must be determined on their own merits. Future land usage should not be a deciding factor.
- The Officer's opinion as cited in the report is that the application would extend the build form further into the countryside, thus creating an undesirable intrusion into the landscape which would harm the character and amenity of the locality. However the applicant would compare this application to other nearby sites e.g. Capel Mawr – defined as a cluster not a settlement, which has seen five similar developments permitted in the past few years.
- Planning Policy Wales 5<sup>th</sup> edition cites that new developments should be well integrated and connected to existing patterns of settlement. It is the applicant's opinion that this complies with the PPW in that the existing boundary extend far being that proposed under this application. Ribbon development cannot therefore be a material consideration in this case.
- The applicant further considers that coalescence should not be considered in this application due to the fact that the already defined boundary of the settlement is established and extends considerably further than that proposed under this application.
- The applicant would query how this application would prejudice the implementation of Policy 50 since each application should be considered on its own merits.
- Llangristiolus is a popular well situated village with excellent services. The proposal fits with scaling, mass and design of the locality. In addition there is a call for quality housing within this area. This development can only enhance the entrance to the village through

the use of high quality materials and a highway gain due to the realignment of the perceived Highway boundary by extension of the existing footway.

- There have been no public objections to this application and both the Community Council and the Local Member, Councillor W.I.Hughes support the application.

The Chair drew attention to a correction to page 23 of the Officer's written report where the recommendation in the English version should read "Refuse" and not "Permit".

The Planning Development Manager updated the Committee on representations received since the publication of the agenda in the form of 2 letters objecting to the proposal on the basis of drainage problems; the coming and going of vehicles to and from the development and the possibility that planning consent would lead to further development of the site. In terms of the material planning considerations, the Officer's viewpoint is that residential development of the site would constitute an intrusion into the countryside beyond the logical boundary. Policy 50 of the Ynys Môn Local Plan does allow for single plot applications as long as they do not have a harmful effect on the landscape. Moreover the application site lies outside the development boundary of Llangristiolus as defined under Policy HP4 of the stopped Unitary Development Plan. In the Officer's opinion the hedgerow forms a clear and definite boundary to the village and that extending further than this boundary would create an undesirable intrusion into the countryside. Contrary to what was stated by the applicant and supporter, the Planning Authority can consider whether or not the application constitutes a precedent in terms of creating a set of circumstances which would make it difficult to resist further development of the field.

Councillor W.J.Chorlton said that he found determining this application to be a difficult task since the plot and application seemed to him to be reasonable. He pointed out that there is also pressure on the Council to keep the countryside and rural communities viable and if applications such as this are rejected then he wondered where people are to go. His view was that the crossroads represents a more logical boundary than the hedgerow. Councillor E.G. Davies shared Councillor Chorlton's sentiments and was similarly uncertain as to how to determine the application. Councillor R.LOwen queried whether the issue of potential ribbon development might be overcome by imposing a condition to the effect that no further development can take place on the site. The Planning Development Manager responded by saying that the application has to be dealt with on its own merits and the attachment of a condition as suggested does not address the policy issues arising in this case.

Councillor Kenneth Hughes took the Officer's stance on the matter in accepting the hedgerow as a definite boundary and in thinking that the erection of 1 dwelling could create problems in terms of ribbon development. He therefore proposed that the application be refused and he was seconded by Councillor Jim Evans.

**It was resolved to refuse the application in accordance with the Officer's recommendation.**

### **11.2 48C182 – Outline application for the erection of an affordable dwelling, construction of a vehicular access together with the installation of a treatment plant on land at Bryn Twrog, Gwalchmai**

The application was presented for determination by the Committee as the applicant is related to a relevant officer. The file has been reviewed by the Monitoring Officer.

Councillor R.G.Parry, OBE addressing the Committee in his capacity as Local Member drew the Members' attention to the site map and illustration in order to highlight the fact that there are houses along the road from the clock to Gwalchmai and that planning permission has been given for a bungalow as well as an application to convert into a dwelling a building situated at the end of the road. The applicant in this case is a young girl from Gwalchmai who has just completed her college course and is seeking an affordable home within her locality. He asked Members to consider that there is a need to help young people to remain within their communities to keep those communities alive, and he emphasised the lack of affordable homes within Gwalchmai and its environs. This application is an opportunity for a young local girl to remain within her community.

The Planning Development Manager confirmed that the Highways Authority is satisfied with the application with conditions; the Drainage Section has also indicated that the application is acceptable and a response has been received from the Housing Department indicating that the applicant's personal circumstances put her in housing need. The Officer also drew Members' attention to the fact that the expiry date for the receipt of representations regarding the application runs until 10<sup>th</sup> April and not 5<sup>th</sup> April as specified in the report. In terms of the material planning considerations, the Officer referred Members to page 28 of the written report which sets out the relevant points. He confirmed that there are planning policies which allow for the release of additional land for the purpose of affordable housing in addition to land available to meet general housing demand in circumstances where local people are unable to compete in the open market and their need for affordable housing cannot be met by other means. However such applications must apply to appropriate sites within or immediately adjoining existing settlements. The Officer's report clearly states that the application site as proposed does not lie within nor does it immediately adjoin the development boundary of Gwalchmai and is instead located in a countryside location where strict policies apply and justification for new housing development must be demonstrated. Exceptions to those in housing need do not apply under such policies. No details of the actual dwelling have been provided nor requested given that the application falls at the first hurdle due to the non-compliance of the site with relevant policies. In conclusion therefore, the application site does not meet policy requirements and the recommendation is one of refusal.

The majority view within the Committee was that the application is a reasonable and deserving one. Members pointed out that the Council has a responsibility to preserve and promote rural communities and that supporting and assisting young people in their endeavour to remain on the Island within their communities forms part of that responsibility. Bearing in mind the lack of available affordable housing in Gwalchmai and the existence of other dwellings on the road leading to and within the area of the application site, the predominant feeling was that the application should be permitted. Councillor Eric Roberts proposed that the application be approved contrary to the Officer's recommendation and his proposal was seconded by Councillor Richard Dew.

Councillor Jim Evans took the Officer's view on the matter and he proposed that the application be refused. Councillor J.Arwel Roberts seconded the proposal.

The Planning Development Manager reminded the Committee that the application is a departure from the Council's housing policies.

Councillors Jim Evans and J.Arwel Roberts voted to refuse the application in accordance with the Officer's recommendation.

Councillors Richard Dew, Kenneth Hughes, R.LOwen, E.G.Davies, Vaughan Hughes and Eric Roberts voted to approve the application contrary to the Officer's recommendation.

Councillor W.J.Chorlton abstained.

The reason cited for approving the application was that it provided an affordable housing opportunity for a young person wishing to stay within her community.

**It was resolved to approve the application contrary to the Officer's recommendation. In accordance with the Council's Constitution, the application was automatically deferred to the next meeting to enable officers to prepare a report on the reason for approving the application.**

## 12 REMAINDER OF APPLICATIONS

**12.1 12C266H – Application for the variation of conditions (04) and (06) on planning permission reference 12C266G to allow for the details of proposed slab levels of the building(s) and a scheme for the provision and implementation of surface water drainage to be submitted following commencement of works on site at ABC Power Marine, Gallows Point, Beaumaris**

The application is reported to the Committee because the Isle of Anglesey Council is the land owner.

The Planning Development Manager informed the Committee that both the Drainage Officer and the Environment Agency have confirmed that the application is acceptable.

Councillor Kenneth Hughes proposed that the application be approved and he was seconded by Councillor Jim Evans.

**It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions contained within the written report. (Councillor R.L.Owen as the Local Member did not vote on the matter)**

## **12.2 40C48E/EIA – Demolition of the existing life boat house and slipway together with the construction of a new life boat house and slipway at Lifeboat Station, Moelfre**

The application is submitted to the Committee as it is the subject of an EIA.

The Chair invited Mr Elfed Jones, an objector to the application to address the Committee.

Mr Jones said that he was speaking from the heart on this matter as a former member of the Moelfre Lifeboat for 36 years and that he was present on behalf of a number of the village's residents who also object to the application - not because they do not want a new lifeboat but because the proposed building that will house the boat which will be situated in an Area of Outstanding Natural Beauty is almost twice as large as the present building. If anyone wanted to build a house or wind turbine on the coast in Moelfre, they would not be given consent. Whilst the matter of the lifeboat is a very sentimental issue – and that is understandable - it is also a fact that the building will be there for a 100 years. The applicants want to close the coastal path for 2 years and build a road – Mr Jones pointed out that the way down to the boathouse is extremely dangerous and cars come down it like "lunatics" when the boat is requisitioned. The feeling is that the RNLI has gone about things in the wrong way and has bought the furniture before building the house. Shouldn't the Institute have asked for permission to build the house first before bringing in the furniture? Mr Jones said that he believed the Institution had treated the residents of Moelfre disgracefully and that he himself was from Moelfre as was his family. He emphasised that the residents were not against the lifeboat but do not see why Moelfre needs a lifeboat house on the scale proposed. If the Institution had wanted a lifeboat of this standard in the area then it should have been located elsewhere in Amlwch Port. He asked the Committee's Members in determining the application, to think about the residents of Moelfre who have to live with the proposed building for the next 100 years and that it represents a horror story. He asked the Members to consider the application very carefully.

There were no questions to Mr Jones from the Committee's Members.

The Chair then invited Mr Mathew Croft to speak in support of the application.

Mr Croft introduced himself as Divisional Operations Manager for the RNLI and he explained that he was present on behalf of the advertised speaker, Mr Howard Richings.

Mr Croft said that he was extremely sympathetic to the views of the community in Moelfre and that he thought it was very clear that the RNLI has listened to those views and has modified the plans for the future boathouse after listening to the concerns of people. When the current lifeboat station was bought in 1988 it was a state of the art boat at that time. However, things have moved on and the RNLI has moved on to a newer class of lifeboat – a Tamar Class lifeboat which the Institution believes will secure the future of the search and rescue service at Moelfre for the next 25 years. It is a major sheltering port and it is thought essential that there is search and rescue asset in the shipping corridors that it covers. In the time the lifeboat station has been stationed at Moelfre it has saved 1,441 lives and since 1970 the all-weather lifeboat has launched 532 times. There is therefore clearly a need for the station. The Tamar lifeboat as the replacement for the Time Class lifeboat is safer, more efficient and will provide better safety for the crew to ensure they are able to go out and rescue people in distress. It is for that reason that the Tamar has been chosen. The RNLI as a charity has looked at other options including Amlwch but Tamar constitutes the best option for this station. There will be no change as regards how the boat is operated – the lifeboat will still return to sea with crew as it always has done from the community of Moelfre and no changes are envisaged

as regards how that will operate in future. The RNLI is also making a significant investment in the area and it is considered important that the Institution demonstrates that that investment is done so on the basis of need – because it is needed to save lives at sea. A small section of the coastal path will have to be closed for a very limited period and that is on account of the safety of persons walking along the path underneath the arm of the crane. The impact to the community will be minimised as much as possible and every effort will be made to obtain the support of the community to ensure that the Institution works with it for this essential service. Mr Croft went on to say that he had been a life boatman for 20 years and that he was often asked how many times had he rescued people. His reply was 5 because 5 is the number of people he had not been able to save and the new lifeboat will represent the opportunity to change a position of 90% to 97% in terms of getting to rescues faster and more efficiently. Whilst it might not appear to be very high 7% is nevertheless a lifesaving percentage.

There were questions put to Mr Croft by the Committee's Members in relation to the anticipated duration of the closure of the coastal path; the modification made to the original plans for the lifeboat station to address the community's concerns and its size.

Mr Croft by way of reply explained that the coastal path will be closed for the least time it takes to ensure that people are safe. The build project is projected to last a maximum of 2 years. The current build at Porth Dinllaen for example is on schedule to be between a 12 and 18 month period and the Institution will seek to work with its contractors to ensure that any disruption and closure will be minimised as much as possible. As regards the design of the proposed development, the initial design included additional space which made the original proposed boathouse larger. It became clear in consultation with the local community that that was unacceptable; the planning application was subsequently withdrawn in order to review the plans and the Institution was able to work in conjunction with the Council to develop extra resources at the Seawatch Centre. That has allowed the Institution to minimise the footprint of the building down to essential space only for part of the boathouse and the crew facilities required. So the footprint has been reduced significantly from the original plans and the plan in its entirety is to house the boat safely and efficiently. The Institution will look to utilising the Seawatch Centre for the activities it would like to undertake to add to the community in Moelfre. Mr Croft confirmed that in his opinion the proposed boathouse is no bigger than it needs to be to provide a safe and efficient operation for the lifeboat to continue for the next period.

Councillor Derlwyn Hughes spoke as the Local Member for Moelfre. He said that there were some valid points raised in the letters of representation which required attention and that his address would refer to those points and the concerns that have added to the delay in determining the application. Councillor Hughes explained that the application is not a sudden one and has been two years in the making and that he hoped it would be determined at today's meeting. The EIA has been a basis for further consultation with the Environment Agency, Welsh Water and the Countryside Council. The concerns raised were considered and the relevant agencies were satisfied. He believed that the Planning Service had been thorough in its approach - the plans were modified following observations received in several discussions with designers and architects prior to the submission of the definitive plan. Councillor Hughes said that he had not responded individually as he was present at a meeting of the Community Council on 26 September, 2012 when the application was discussed. Having been present at the Community Council meeting then he understood that the usual arrangement is that the Council responds to applications. The support was unanimous. One of the letters of representation objecting to the proposal notes erroneously the link between the local committee and its membership. Two members of the crew serve on the Community Council. Councillor Hughes proceeded to read an extract from the minutes of the meeting illustrating the Community Council's strong support for the proposal on the basis of the need to retain the lifeboat asset in order to save lives; its integral role as part of the history and tradition of the village; wide recognition for the crew; the valuable skills which young people and volunteers gain from working with this resource; revenue for the village and full time work for 2 persons. It is inevitable that some of the crew and friends of the RNLI serve on various committees within the village and area – that is what makes a community – individuals playing a part and contributing positively for the welfare of its residents. Councillor Hughes said that he was surprised by the reference to locating the lifeboat elsewhere and to using Amlwch Port as a permanent anchorage – the tradition and history of the boat's establishment is in Moelfre and he hoped that that is where it will continue. The RNLI is an important part of the local community and Moelfre has nailed its proud maritime history on the

achievements of the various crews. Whilst the introduction of a new lifeboat is a dramatic event, progress and development are part of the RNLI as everything else. Councillor Hughes asked the Committee to approve the application so as to be able to look forward to an exciting new period in the history of the lifeboat in Moelfre – it is what the area and village expect and hope for following today's meeting.

The Planning Development Manager informed the Committee that since the report was drafted further letters of representation have been received both for and against the application meaning that there are now in total 13 letters of objection to the proposal and 43 letters of support. The closing date for the receipt of observations is 4th April and should the department receive any further information/ representations following today's meeting that are materially different then the application will be brought back to Committee at its next meeting. The Highways Service has confirmed that it is satisfied with the development subject to the attachment of conditions requiring prior agreement regarding the method of operation on site. The Officer also highlighted a proposed amendment to Condition (2) within the report to include specific dates for the submission and agreement of the plans referred to under that condition. The Officer went on to say that he gathered from the observations made that those within the local community who oppose the proposal are not against the development in principle but object to the size and design of the proposed boathouse. There have been constructive discussions between the applicant and planning officers regarding the submission of an acceptable design which was the principal factor for Officers in their considerations. The Officer showed the modifications made by reference to an illustration which showed both the original and amended proposals. The original application which was larger was withdrawn as the Officers found it unacceptable. There has been compromise and the amended plan as submitted is acceptable in terms of land usage and the development's impact on the surrounding landscape. Consequently, the recommendation is one of approval. With regard to the coastal path the Officer clarified that the path will be re-routed around the compound as the building progresses and will not close in its entirety.

The Committee's Members sought clarification of the dimensions of the amended proposal relative to the original as well as the materials to be used for the roof. Whilst they acknowledged the concerns of some members of the community regarding the size and design of the proposed new boathouse, there was consensus that the proposal should be approved based on the need for it and the improvement in safety and efficiency which the new lifeboat would bring to the search and rescue service at Moelfre. The Planning Development Manager confirmed that the proposed life boathouse stands approximately 1 metre higher than the current building and that its roof will be made of natural copper.

Councillor Kenneth Hughes proposed that the application be approved and Councillor W.J.Chorlton seconded the proposal.

**It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions contained within the written report and with the described amendment to condition (2).**

### **12.3 46LPA972/CC – Full application for the conversion of the former public convenience into a dwelling at South Stack Public Convenience, South Stack, Holyhead**

The application is reported to the Committee as it is made by the Council on Council owned land.

Councillor Richard Dew proposed that the application be approved and he was seconded by Councillor E.G.Davies.

**It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions contained within the written report. (Councillor Eric Roberts as the Local Member did not vote on the matter)**

## **13 OTHER MATTERS**



**13.1 11C591A/TPO – Application for the topping and lopping of 6 trees which are protected by a tree Preservation Order together with the felling of one tree protected by a Tree Preservation Order at 16-21 Bro Trehirion, Amlwch**

The application is on Council owned land. It was determined that the application should be approved subject to a condition requiring that works are done to British Standard 3998:2010 Tree Work.

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

**Councillor J.Arwel Roberts  
Chair**