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CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL

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RHYBUDD O GYFARFOD	NOTICE OF MEETING	
PWYLLGOR CYNLLUNIO A GORCHMYNION	PLANNING AND ORDERS COMMITTEE	
DYDD MERCHER, 6 CHWEFROR, 2013 ➔ 1.00 o'r gloch ←	WEDNESDAY, 6 FEBRUARY 2013 ➔ 1.00 pm ←	
SIAMBR Y CYNGOR-SWYDDFEYDD Y CYNGOR, LLANGFNI	COUNCIL CHAMBER - COUNCIL OFFICES, LLANGFNI	
Swyddog Pwyllgor	Mrs. Mairwen Hughes (01248) 752516	Committee Officer

AELODAU / MEMBERS

Cynghorwyr / Councillors:

W J Chorlton
E G Davies
Lewis Davies
R Dew
Jim Evans
K P Hughes
W T Hughes
Vaughan Hughes
C McGregor
R L Owen
J A Roberts (Cadeirydd/Chair)
Eric Roberts
2 Sedd Wag/Vacant Seats

A g e n d a

Members are reminded that background papers referred to within committee reports are available for inspection in electronic format on the day of the meeting at the Council Chamber from 12.30 p.m. onwards; alternatively these may be inspected at the Development Control section during normal office hours. Documents referred to in reports may also be viewed in full on the electronic application files.

Any additional information to hand following publication of reports will be verbally reported upon to the meeting.

Before a decision notice is released conditions of approval or reasons for refusal given in written reports may be subject to minor amendments to account for typographical errors.

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None to be considered by this meeting.

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None to be considered by this meeting.

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PLANNING AND ORDERS COMMITTEE

Minutes of the meeting held on 9 January, 2013

- PRESENT:** Councillor J. Arwel Roberts - Chair
Councillor W.T. Hughes – Vice-Chair
- Councillors W.J. Chorlton, E.G. Davies, Lewis Davies,
Richard A. Dew, Jim Evans, Kenneth P. Hughes, Vaughan Hughes,
R.L. Owen, Clive McGregor, Eric Roberts.
- IN ATTENDANCE:** Development Management Team Leaders (NJ) and (DPJ),
Planning Assistants,
Planning Officer (Minerals & Waste)(RWW) – Item 12.4,
Legal Services Manager (RJ),
Committee Officer (MEH),
Administrative Assistant (SC).
- APOLOGIES:** None
- ALSO PRESENT:** Local Members : Councillors Eric Jones – 7.4; A.M. Jones – 12.7;
H.E. Jones – 7.3; R. Dylan Jones – 7.2; Elwyn Schofield – 12.3;
-

The Legal Services Manager reported that the County Council held on 6th December, 2012 resolved to extend the trial period in respect of the Planning Matters Procedure Rules for a further 12 months. The two major changes affecting this Committee being the prohibiting of a Local Member on the Committee from proposing, seconding or voting on an application in his/her electoral ward, and that a Member of the Committee had to be present during every previous consideration of an application including a site visit in order to participate in the consideration and determination of an application.

1 APOLOGIES

No apologies received for absence.

2 DECLARATION OF INTEREST

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

3 MINUTES

The minutes of the previous meeting of the Planning and Orders Committee held on 5 December, 2012 were submitted and confirmed as correct.

4 SITE VISITS

The minutes of the Site Visits held on 19 December, 2012 were submitted and confirmed as correct.

5 PUBLIC SPEAKING

The Chair informed the Committee that there would be public speakers in respect of applications 7.1, 7.2, 7.3, 7.4 and 12.8.

6 APPLICATIONS THAT WILL BE DEFERRED

6.1 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

The Development Management Team Leader informed the Committee that it is recommended that Members visit the application site prior to making any determination on account of the nature and context of the development.

It was RESOLVED to undertake a site visit in accordance with the Officer's recommendation.

6.2 39C285D – Full application for the erection of 17 dwellings on land at Lon Gamfa, Menai Bridge

The Development Management Team Leader informed the Committee that it is recommended to defer the application due to outstanding consultation response from the Council's Environmental Adviser which needs to be resolved before a full report on the planning application can be submitted to the Planning Committee.

It was RESOLVED to defer the application in accordance with the Officer's recommendation.

7 APPLICATIONS ARISING

7.1 10C114A – Full application for the siting of a solar array farm on land adjacent to Tai Moelion, Ty Croes

The application was reported to the Committee due to the scale and nature of the proposal. At the Planning and Orders Committee held on 5 December, 2012, it was resolved to visit the site in accordance with the Officer's recommendation. The site visit took place on 19 December, 2012.

The Chair invited Mr. Douglas Symes, a supporter of the application, to address the Committee.

Mr. Symes informed the Committee that he was an Agent for the Bodorgan Environmental Management Limited which is a Company owned by the Bodorgan Estate. He proceeded to draw Members' attention to the following issues in respect of the application.

- The Bodorgan Estate have recently developed two solar farms on their land in Hampshire and as a result they have had first-hand experience of the likely impact of such a development;
- The solar panels are mounted on thin metal legs and are widely spaced apart which results in minimal ground disturbance;
- There is limited risk of damage to any current recognised archaeological features that are beneath the features;
- The suggestion by the Gwynedd Archaeological Planning Service that further investigation works should be carried out prior to determination came as a surprise and is not shared by the applicants advisor who notes that any lack of evidence of archaeological activity in the area. Proposed Conditions within the Officer's report seems to be the correct approach;
- Traffic issues : As it seems that there are no objections to the delivery of the solar panels to the site, a road conditions survey will be carried out before, during and after construction;
- The generation of renewable energy was considered far better with solar panels than one-shore wind turbines as there is limited visual impact, no risk to birds or wildlife, no noise issues or traffic issues. The land can also continue to be used for grazing;

- The development reflects and meets the local plan policies for renewable energy in a responsible manner, with very limited impact.

In response to questions by Members of the Committee, in respect of community benefit, Mr. Symes responded that the matter had not been raised during the planning application process and he would have to discuss the matter with the applicant. The area of the development was equivalent to about 48 football pitches but only some 40% of that area is actually used. Such a size is necessary to make a scheme economical. The panels would be about 3 metres in height and give the appearance of a crop in the field.

The Development Management Team Leader reported that Powys Archaeological Trust had prepared a report on behalf of the applicant; the Gwynedd Archaeological Planning Service had made a few comments. However, it will be a matter for the Gwynedd Archaeological Planning Service to determine whether Conditions on the approval will need to be made to protect archaeological issues on the site. She ascertained if the Committee were willing to make a decision on the application at this meeting and to afford the Officer's power to act following consultation with the Gwynedd Archaeological Planning Service and the applicant, to approve the application.

Councillor W.J. Chorlton proposed that the application be approved and Councillor R.L. Owen seconded the proposal.

It was RESOLVED to approve the application and to grant the Officer's power to act following the satisfactory conclusions of discussions as noted above.

7.2 11C591 – Change of use of derelict land to form a nature and recreation area on land to the rear of 16 - 21 Bro Trehirion, Amlwch

(Councillor W.T. Hughes declared an interest in relation to the application as his wife was the Town Clerk. He noted that following legal advice he was permitted to take part and vote in respect of this application).

The application was reported to the Committee as the land is owned by the Isle of Anglesey County Council. At the Planning and Orders Committee held on 5 December, 2012, it was resolved to visit the site in accordance with the Officer's recommendation. The site visit took place on 19 December, 2012.

The Chair invited Mr. Eric Roberts, a supporter of the application, to address the meeting.

Mr. Roberts informed the Committee that he was representing Amlwch Town Council as a Member and proceeded to draw Members' attention to the following issues in respect of the application.

- This site has been derelict for a number of years. People have been dumping household and commercial waste on the site;
- Overgrowth is overreaching to gardens of residents of the Bro Trehirion Estate which has resulted in loss of day light;
- The Town Council had permission by the County Council to clear the site with the assistance of organisations and local schools;
- A lease has been attained by the Town Council from the County Council to construct a nature and recreation area on the site.

There were no questions to Mr. Roberts from Members of the Committee.

Councillor R. Dylan Jones addressed the meeting as Local Member. He informed the Committee that local meetings have been convened to discuss the issues of concern to the local residents. Concerns were raised in respect of the misuse of the improved area by anti-social elements. He expressed that the concerns of residents would be eased if security lighting, cameras and gates were to be installed on the site. The proposed seating area on the site would attract anti-social elements and it would be likely to be vandalised. The cost of the seating area is extremely high and is not sourced locally. If the application was to be approved, the Local Member considered that the seating area should be located as far away as possible from neighbouring properties. He further noted that the Amlwch Town Council has stated that they have consulted widely within the community in respect of this application;

local residents feel that they have not been consulted appropriately in respect of the application before the plans have been completed.

The Development Management Team Leader responded that the Officer's report refers that the principle of the development is acceptable and that the proposals will enhance the amenities of the area. It is not considered that the development will unacceptably affect residential amenities. He further noted that any anti-social behaviour would be an issue for the police and not a planning consideration.

Members expressed that lighting and gates on such a site should be considered but the enhancement of the area would be advantages for the Town of Amlwch.

Councillor R.L. Owen proposed that the application be approved and Councillor W.T. Hughes seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation, subject to the conditions contained within the report.

7.3 37C174C – Full application for the erection of one wind turbine with a maximum hub height of up to 36.5m, a maximum rotor diameter of up to 30m, and a maximum upright vertical tip height of up to 46.1m together with the installation of a control kiosk and access track on land at Tre Ifan, Brynsiencyn.

The application was reported to the Committee as it has been decided that delegated powers will not be used in connection with wind turbine developments. At the Planning and Orders Committee held on 5 December, 2012, it was resolved to visit the site in accordance with the Officer's recommendation. The site visit took place on 19 December, 2012.

It was reported that the applicant had submitted an appeal against non-determination which had now been validated by the Planning Inspectorate. However, the Committee is requested to state its opinion in respect of the application for the purposes of the appeal.

The Chair invited Mrs. Christine Pritchard, an objector of the application, to address the meeting. Mrs. Pritchard highlighted the following issues as grounds for objecting the application.

- There is overwhelming concerns in the Community of Brynsiencyn in respect of this application. The volume of letters of opposition received by the County Council is testament to the concerns of the community;
- She stated that many of the objectors are in favour of renewable energy but only in appropriate locations;
- The proposal is close to residential dwellings, some are less than 500 metres from the site;
- An AONB is only three fields away from the proposed site;
- Concerns raised as to the potential health issues due to shadow flicker, noise levels;
- Two recent tourist surveys hves indicated that visitors will not return to an area within the shadow of an industrial turbine;
- Historical area is also at risk. CADW and the Gwynedd Archaeological Trust have expressed serious concerns that the proposal site is within an area of largely undiscovered historical significance; it is within sight of significant historical monuments;
- Residents of Brynsiencyn are horrified that the proposal now indicates that the heavy industrial and construction traffic will pass directly through the village and also through a narrow farm lane which could cause damage and traffic problems;
- The size and scale of the turbine, which is over 150ft, will have an intrusive impact on the landscape. The Landscape Officer has stated that it would have a harmful impact on local properties in the surrounding area;
- If the application was approved, it would open the doors to a linear wind farm, ruining the south west of the Island;

- The Minister for Energy has stated that existing sites and current projects for wind energy were sufficient to meet European targets for 2020. He has stated that 'enough is enough, and we can no longer impose wind turbines on reluctant communities.'

The Chair invited Mr. Richard Rogers, the applicant/supporter of the application, to address the meeting. Mr. Rogers highlighted the following issues as grounds for approving the application.

- He stated that he had been born and lived on the Isle of Anglesey all his life and has attended the local schools. He has a young family and his children attend the local school in Parc y Bont. He employs 3 local persons to work on his farm;
- He stated that he would more than likely be accused of being greedy in taking advantage of government policies, in investing time and money into the planning procedures without any certainty of success;
- The allegations in respect of the effect on tourism, house prices, nature and health issues are without any scientific base at all;
- The Advertisement Standards Authority, an independent body, has deemed that the Anglesey Against Wind Turbines allegations are unfounded. The allegations made by persons, who are against wind turbines, have been made by people who have been misled and have been frightened by evidence from a group of people who have come to retire on the Island and whom have no interest in the economy of the Island. He asked the people of Anglesey to look more objectively in respect of these applications;
- Other areas, i.e. Scotland, North of England Devon and Cornwall are taking advantage of the tariffs from wind turbines and are investing in the countryside through wind energy. Anglesey is losing out in this respect, due to the attitude against wind turbines, with the local schools having less children attending and with health departments unable to cope;
- Wind energy can bring income to the countryside but we must make sure that they are reasonable within the policies and the effect on the communities. However, both sides must be considered and listened to and the effect of the local population.

Councillor H. Eifion Jones addressed the meeting as Local Member. Councillor Jones stated that he supported any business which wishes to expand its income, especially in the countryside. However, he stated that care must be taken that 'damage' is not caused in the area. The Officer's report also states that they are of the opinion that 'damage' would be caused to the environment and the landscape if this application was approved. The Local Member expressed disappointment that the application had been appealed for non-determination by the applicant as he was unaware that the Officer's had delayed the process in any way.

The Local Member stated that the local Community Council convened a public meeting to discuss the application and the hall was full to capacity. Most of the audience were against the application with strong valid reasons. Councillor Jones read out paragraphs within the Officer's report which stated the reasons why the application would have a detrimental effect of the community.

The Development Management Team Leader wished to update the Committee in respect the second recommendation within the Officer's report. She stated that the Gwynedd Archaeological Trust have received further information in respect of this matter and have confirmed their opposition to the application due to the setting of the Maen Hir Setting Stones. Recommendation (02) would therefore require amendments.

Councillor C. McGregor was disappointed that the application had been appealed for non-determination as the site visit had only taken place 2 weeks ago.

Councillor W.J. Chorlton proposed that the application be refused and Councillor Eric Roberts seconded the proposal.

It was RESOLVED to support the Officer's recommendation of refusal of the application for the reasons given.

7.4 41C103N – Full application for the erection of one wind turbine with a maximum hub height of up to 44m, rotor diameter of up to 33m and a maximum upright vertical tip height of up to 62m, the construction of an access track together with the erection of an equipment housing cabinet on land at Ty Gwyn, Penmynydd

The application was reported to the Committee as it has been decided that delegated powers will not be used in connection with wind turbine developments. At the Planning and Orders Committee held on 7 November, 2012, it was resolved to visit the site in accordance with the Officer's recommendation. The site visit took place on 21 November, 2012. The application was deferred at the meeting held on 5th December, 2012 to allow for the resolution of outstanding matters.

It was reported that the applicant had submitted an appeal against non-determination which had now been validated by the Planning Inspectorate. However, the Committee is requested to state its opinion in respect of the application for the purposes of the appeal.

The Chair invited Mr. Richard Edwards, an objector of the application, to address the meeting. Mr. Edwards highlighted the following issues as grounds for objecting the application.

- He stated that he and his family have lived locally all their lives and have been fortunate in becoming part of the community at Penmynydd which is a close and friendly area;
- The proposed wind turbine will be 650 metres in front of his property with windows facing the turbine which will be 62 metres high. 95% of his garden will also be facing the proposed turbine;
- With a young family, he is worried about the health of his children. Not enough information is available in respect of the effects of wind turbines on residents who live near such a development;
- Two public meetings have been held at Penmynydd with 100% of the audience in opposition to such wind turbines in the area. The voice of the community is strong against this turbine;
- The Officer's report highlights the effects on the proposed application on the AONB at Pentraeth Forest and on the community of Rhoscefnhir;
- The turbine would be visible from the mainland and it will have an effect on tourism and especially on local residents who will have to live near such a structure;
- Bats have been identified in the area and need to be protected.

Councillor Eric Jones addressed the meeting as Local Member. Councillor Jones stated that volumes of data have been published in national newspapers that too many such turbines are proposed over the country. He stated that he has been elected to express the aspirations of the electoral he represents. A petition with over 8,000 signatures has been collected against wind turbines. No other petition has been received with so many signatures with strong feelings against wind turbines on the Island. He referred to the authority's Communication Strategy 2012/15 and quoted the key messages within the Strategy.

The Development Management Team Leader wished to update the Officer's report and stated that the Countryside Council for Wales and the Ecological Officer of the County Council have confirmed that they object to the application due to the bats in the area. A hedge is 50 metres near the site and the applicant has refused to move the location of the turbine according to Technical Note 051 which gives guidance in respect of the protection of bats in respect of wind turbines.

Councillor C. McGregor was disappointed that the application had been appealed for non-determination as the authority was awaiting consultation on the application from a statutory body. Councillor C. McGregor proposed that the application be refused and Councillor W.J. Chorlton seconded the proposal.

It was RESOLVED to support the Officer's recommendation of refusal of the application for the reasons given.

Councillor W.T. Hughes wished it to be recorded that he did not vote in respect of this application as he was not present at the site visit.

8 ECONOMIC APPLICATIONS

None to be considered at this meeting.

9 AFFORDABLE HOUSING APPLICATIONS

None to be considered at this meeting.

10 DEPARTURE APPLICATIONS

None to be considered at this meeting.

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

11.1 32C110A – Full application for the erection of a conservatory at Caeau Bychan, Caergeiliog

(Mrs. Nia Jones, Development Management Team Leader, declared an interest in relation to the application above and withdrew from the meeting during consideration thereof).

The application was brought to the Committee as the applicant is related to a 'relevant Officer' as defined within paragraph 4.6.10.42 of the Constitution. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

Councillor K.P. 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 report.

12 REMAINDER OF APPLICATIONS

12.1 12C426 – Siting of 2 kiosks housing control equipment for a small package pumping station on land adjoining 51 Castle Street, Beaumaris

The application was brought to the Committee as the application is made on Council owned land.

The Development Management Team Leader reported that the application is part of a scheme to alleviate flooding problems in the area. The Officer referred to Condition (03) within the recommendation of the report and noted it is an informative rather than a Condition on the application. She further stated that a Condition needs to be included in respect of the colour of the 2 kiosks. The Officer reported that since the publication of the Officer's report 2 letters of objection have been received and an objection by the Beaumaris Town Council.

Councillor R.L. Owen the Local Member stated that he supported the application but questioned since the kiosks will be sited on a footway, he hoped that it is safe for pedestrians and is well marked. The Officer responded that no objection has been raised by the Highways Department in this respect.

Councillor Eric Roberts proposed that the application be approved and Councillor K.P. Hughes seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation, subject to conditions contained within the report and amendment as noted above.

12.2 19C845G – Retrospective application for the retention of the extension to the clubhouse at Holyhead Hotspur Clubhouse, Holyhead Leisure Centre, Kingsland, Holyhead

The application was brought to the Committee as the application is made on Council owned land. The site is located within the grounds of Holyhead Leisure Centre.

Councillor R.L. Owen proposed that the application be approved and Councillor Eric Roberts seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation, subject to the conditions contained within the report.

12.3 25C102B – Full application for the erection of one wind turbine with a maximum hub height of up to 9.42m, a maximum rotor diameter of up to 7.19m, and a maximum upright vertical tip height of up to 13.02m on land at Chwaen Bach, Llanerchymedd

The application was brought to the Committee as it has been decided that delegated powers will not be used in connection with wind turbine developments.

The Local Member, Councillor E. Schofield, stated that he had no observations to make in respect of the application.

Councillor C. McGregor proposed that the application be approved and Councillor K.P. Hughes seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation, subject to the conditions contained within the report.

12.4 26C14H – Full application for an inert recycling centre at Nant Newydd Quarry, Brynteg

The application was brought to the Committee at the request of the Local Member.

The Planning Officer (Minerals & Waste) reported that the application is to regulate the recycling of inert waste on the site. Planning application was permitted for the recycling of aggregate on the site in 1997 and the approval has now ceased. The applicant therefore has submitted a further application in this respect. It was not intended to increase the number of vehicle trips to the site.

Councillor C. McGregor as Local Member stated that he was supportive of the Officer's report.

Councillor Eric Roberts 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 report.

12.5 35C304 – Full application for the erection of 9 affordable dwellings on land near Bryn Paun, Llangoed

The application was brought to the Committee as the applicant has served notice on the Isle of Anglesey County Council.

The Development Management Team Leader reported that the title of the application needed to be amended as the application is for 10 affordable dwellings. He further reported that power to act by Officer is sought in respect of this application, as the Planning Authority is awaiting responses from statutory consultees in respect of this application.

Councillor Lewis Davies the Local Member stated that following legal advice he would declare an interest but he was able to speak as a Local Member but not as a Member of the Planning Committee. He stated that he welcomed this application in the community he represents. The application resulted from a survey undertaken in 2009 and the Housing Department have worked with the Housing Association to develop the scheme. Councillor Davies stated that immense interest has been shown in the community for affordable housing and it will result in young families being able to live within their preferred communities and will also increase pupil numbers at the local primary school.

Councillor Davies left the meeting for the remainder of the item following his statement.

Councillor R.L. Owen proposed that the application be approved and Councillor K.P. Hughes seconded the proposal.

It was RESOLVED to approve the application and to grant the Officer's power to act following the satisfactory responses from the statutory consultees.

12.6 39C291E/1 – Installation of two floating pontoons at Porth Daniel Boat Yard, Water Street, Menai Bridge

The application was brought to the Committee as the applicant has served notice on the Isle of Anglesey County Council who acts as an agent for the Crown Estate.

Councillor Eric Roberts proposed that the application be approved and Councillor C.McGregor seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation, subject to the conditions contained within the report.

12.7 44C182C – Full application for the erection of one wind turbine with a maximum hub height of 15.1m, a rotor diameter of 5.6m and a maximum vertical upright height of 17.5m on land at Bryn Goleu, Rhosybol

The application was brought to the Committee as it has been decided that delegated powers will not be used in connection with wind turbine developments.

Councillor A.M. Jones, Local Member stated that he had requested that a map be made available at the Committee, to allow the Members to view the planning applications for wind turbine in the vicinity of Rhosybol. He stated that he had made the request before the Christmas break and had sent an e-mail to the Department. A request was also made to the Planning Department this week for such a map. The map would have shown the cumulative effect of all the planning applications for turbines on the amenities of the residents of the area.

The Development Management Team Leader responded that he appreciated that the Local Member had contacted the Department but assured him and the Committee that a full assessment had been carried out by the Planning Officers on the accumulative landscape effect on this development. The turbine was one of 6Kw of power and the nearest dwelling was 153 metres away. The Local Member reiterated that he had contacted the Planning Department before Christmas to allow sufficient time for them to prepare a map of the area. He therefore requested that the Committee should visit the site.

Councillor Jones further stated that the Officer's report does not refer that a wind farms is near this proposed application. The property known as Rhoslyn Cottage is less than 400 metres from the site. He stated that 4 or 5 applications have been approved for wind turbines in the Rhosybol area and in respect of transparency and to be fair to the residents he suggested that a site visit be conducted on the site. The Chair expressed his apologies that a map was not available at the meeting. He further stated that the Committee has visited the area on numerous occasions and did not consider any advantage in visiting the site as this was a small turbine. The Local Member stated that the size of the wind turbine was not his main concern but the effect on the residents of the area due to numerous applications for turbines recently which are surrounding the village of Rhosybol.

Councillor W.J. Chorlton stated that the Committee has conducted site visits to the area of Rhosybol and he was worried that the applicant could appeal against non-determination.

Councillor K.P. Hughes proposed that the application be deferred to allow the map of the area, as requested by the Local Member, to be submitted to the next meeting of the Planning and Orders Committee. Councillor E.G. Davies seconded the proposal of deferral.

Councillor W.T. Hughes stated that whilst accepting the reasons for deferral by the Committee and the request by the Local Member to visit the site, the Committee must be consistent in its decision making as similar applications have been approved by the Committee already at today's meeting. Councillor W.T. Hughes proposed that the application be approved and Councillor R.A. Dew seconded the proposal.

It was RESOLVED to approve the application in accordance with the Officer's recommendation, subject to the conditions contained within the report.

12.8 46C483B – Retrospective application for the erection of a garage on land adjacent to The Log Cabin, Off Ravenspoint Road, Trearddur Bay

The application was brought to the Committee at the request of the Chair of the Planning and Orders Committee.

The Chair invited Mrs. Dwynwen Roberts, an objector of the application, to address the meeting. Mrs. Roberts highlighted the following issues as grounds for objecting the application. She noted that she was representing her own business at Gwynfair and the owners of the caravans on the Gwynfair site.

- The owners of the caravans on the Gwynfair Caravan Site are middle aged people, who spend a considerable amount of time at the Site and who enjoy the beauty of the Island;
- The people contribute towards the economy of the area. Local contractors are employed to carry out maintenance work on the Site and local people also are employed to look after the Site on a day to day basis;
- The original application submitted by the applicant was acceptable as it did not affect the amenities of the residents of the caravan park;
- At the end of summer of 2010, construction work began on the garage on the applicant's site, it came apparent that the location of the garage was in a totally different position.
- The building has spoiled the privacy of the owners of the caravans on the Gwynfair Site. It has impaired their views and has created a shadow over the park;
- It is likely that the owners of the caravans on the Gwynfair Site will leave the park and it will be very difficult to attract new customers to the Site due to this retrospective application;
- The Planning Authority notes on its website different consideration when applicants submit an application i.e. loss of privacy, effect on parking, noise and general disturbance.

Councillor Eric Roberts, the Local Member stated that maybe it would be advantages for the Committee to view the site but he considered that it was up to the Committee to decide as he was unable to propose as the local member.

The Development Management Team Leader responded to issues raised and noted that a 'Sun Study' has been produced with the application which shows that there are no shadow issues until late in the evening during the summer months. No windows are located at the rear or side of the building which would overlook the caravan park. She noted that the recommendation was one of approval.

Members expressed that whilst they sympathized with the objector, they had to decide if they would have approved this application if it had been submitted to the Planning Authority in the first place.

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

It was RESOLVED to approve the application in accordance with the Officer's recommendation, subject to the conditions contained within the report.

13 OTHER MATTERS

13.1 16C136C – Application to determine whether prior approval is required for the erection of an agricultural shed for the housing of livestock on land at Treban Meurig, Bryngwran

The application was brought to the Committee as the applicant is related to a Councillor.

It was determined that prior approval of the Local Planning Authority was not required for the above development and that it constituted permitted development.

RESOLVED to note the report as information purposes only.

13.2 47C134 – Application to determine whether prior approval is required for the erection of agricultural sheds for the housing of livestock on land at Plas Llanddeusant

The application was brought to the Committee as the applicant is related to a member of staff of the authority.

It was determined that prior approval of the Local Planning Authority was not required for the above development and that it constituted permitted development.

RESOLVED to note the report as information purposes only.

**COUNCILLOR J. ARWEL ROBERTS
CHAIR**

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PLANNING SITE VISITS

Minutes of the meeting held on 23 January, 2013

- PRESENT:** Councillor J. Arwel Roberts – Chair
- Councillors W.J. Chorlton, E.G. Davies, Richard A. Dew,
Kenneth P. Hughes, Vaughan Hughes, Eric Roberts.
- IN ATTENDANCE:** Development Manager Team Leader (NJ),
Committee Officer (MEH),
Administrative Assistant (SC).
- APOLOGIES:** Councillors Lewis Davies Jim Evans, Clive McGregor.
- ALSO PRESENT:** Local Member : Councillor J.V. Owen
-

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.

The site was visited upon the recommendation of the Officers made at the meeting of the Planning and Orders Committee held on 9th January, 2013.

The Planning Officer showed Members a map of the proposed outline development which entailed 22 dwellings. The development will incorporate 7 two bedroom houses, 11 two bed roomed bungalows and 4 three bed roomed houses. It was noted that a total of 7 of the dwellings would be affordable. The Officer noted that a badger set was near the site together with a “slow” worm habitat.

The site was viewed from Waenfawr Estate, Pentrefelin and Lon Cae Serri. The Local Member drew attention to the location of the children’s play area, a proposed housing development at Lon Cae Serri and the local road network.

**COUNCILLOR J. ARWEL ROBERTS
CHAIR**

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6.1

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: 39C285D Application Number

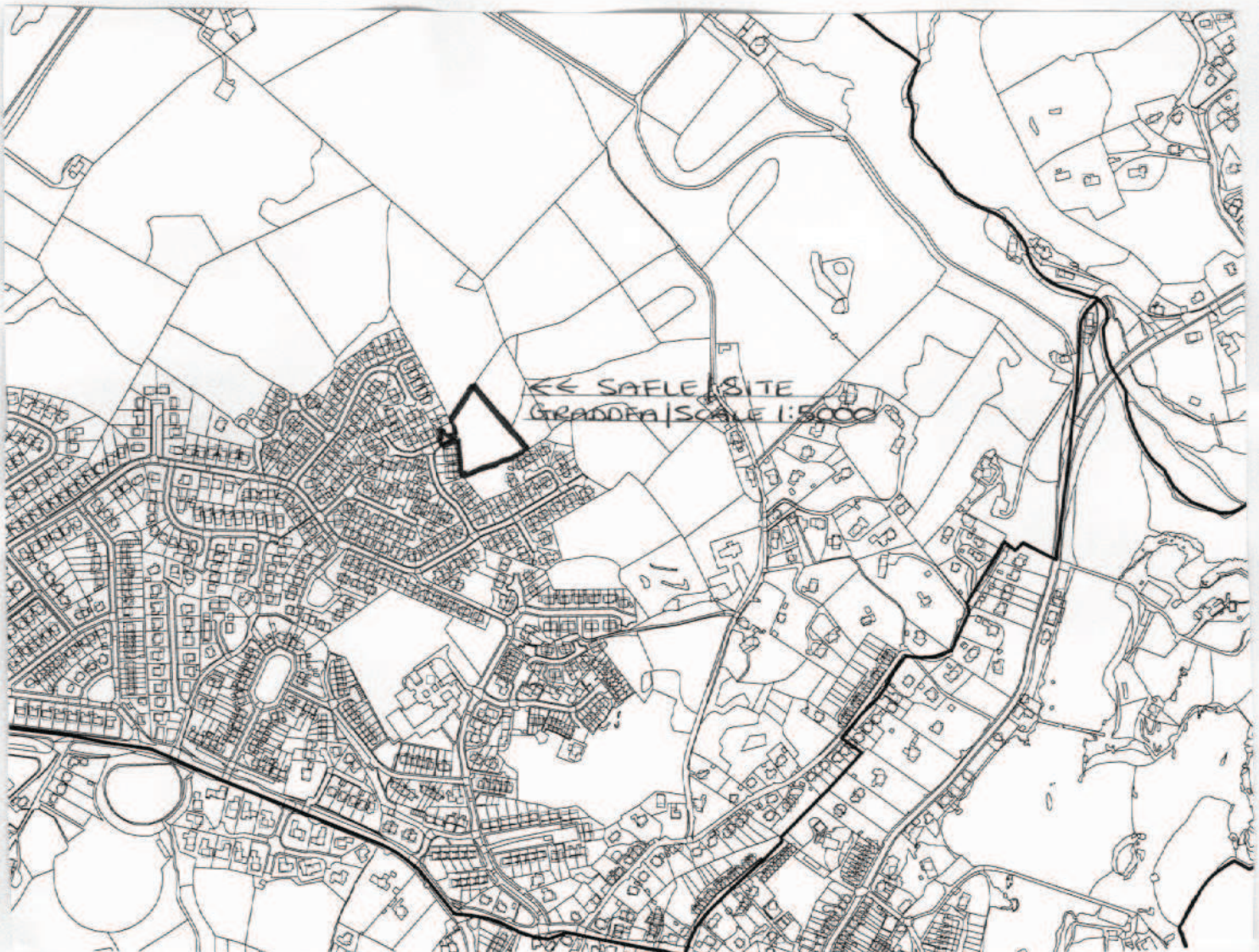
Ymgeisydd Applicant

**Bennett Homes
c/o J S Allan RIBA
Gerallt
3 Stâd Castellor
Cemaes
Ynys Môn
LL67 0NP**

Cais llawn ar gyfer codi 17 o dai ar dir yn

Full application for the erection of 17 dwellings on land at

Lon Gamfa, Menai Bridge



Planning Committee: 06/02/2013

Report of Head of Planning Service (DPJ)

Recommendation:

Defer

Reason for Reporting to Committee:

There was an outstanding consultation response from the council's Environmental Adviser which needs to be resolved before a full report on the planning application can be submitted to the Planning Committee.

1. Recommendation

Defer

Changes are required to the plans which will need to notify the nearest residential properties. A report is expected to be presented to the March Planning Committee.

6.2 Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: **41C124B** Application Number

Ymgeisydd Applicant

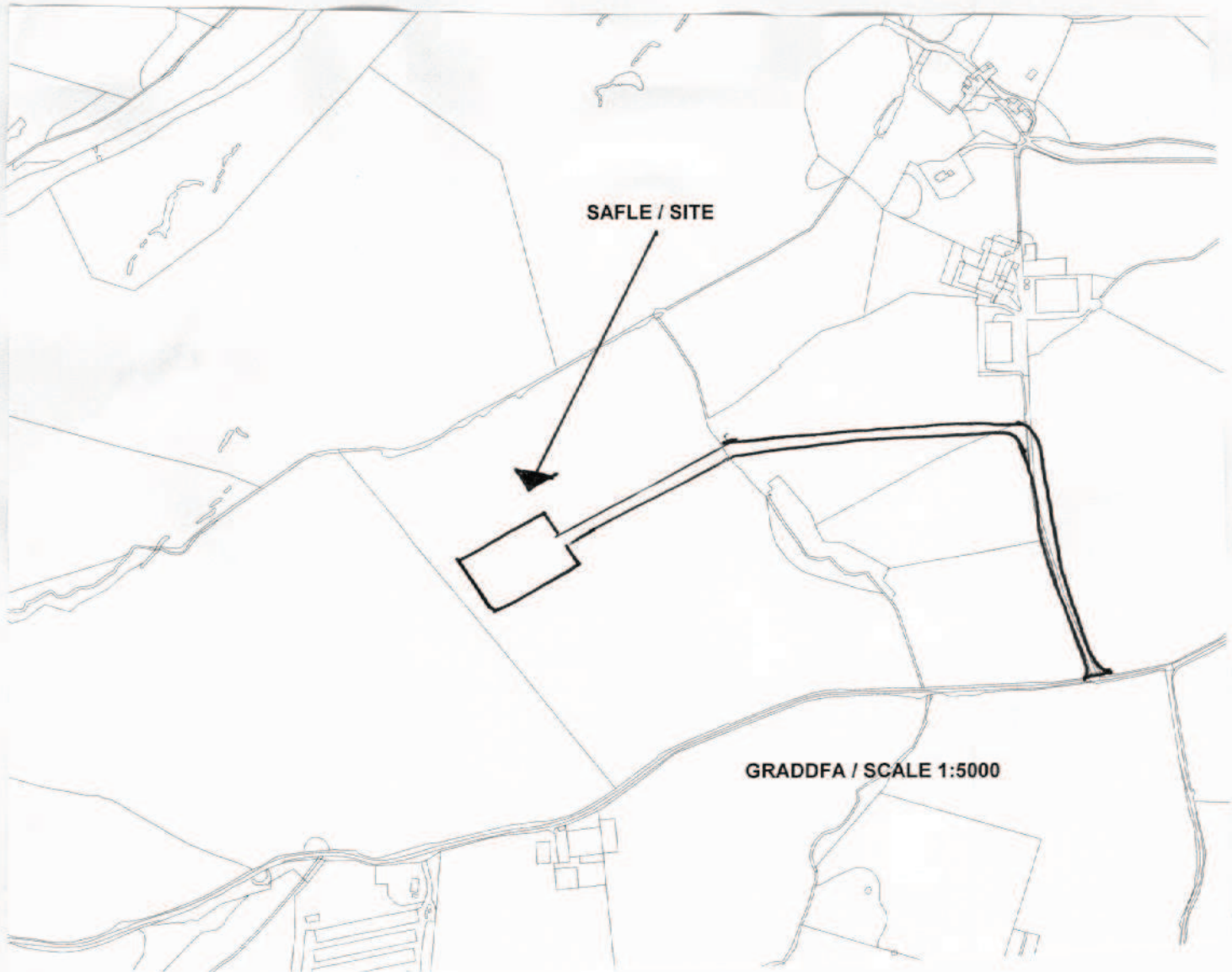
**Mr. D. Jones
c/o Livos Energy Ltd
Mr. Barry Butchart
Gable House
46 High Street
Malmesbury
Wiltshire#**

SN16 9AT

Cais llawn ar gyfer codi un twrbin wynt uchder hwb hyd at uchafswm o 44m, diamedr rotor hyd at uchafswm o 56m a uchder blaen unionsyth hyd at uchafswm o 72m ynghyd a codi gorsaf newydd, trac mynedfa a man caled newydd ar dir yn

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 vertical tip height of up to 72m together with the erection of a transformer station and new access track and hardstanding on land at

Ty Fry Farm, Rhoscefnhir



Planning Committee: 06/02/2013

Report of Head of Planning Service (NJ)

Recommendation:

Site Visit

Reason for Reporting to Committee:

The application is made for a 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 associated developments.

It is considered that it would be of benefit to the members to view the site and its context prior to making any determination.

1. Recommendation

Site Visit

7.1

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: 19C313A Application Number

Ymgeisydd Applicant

**Executors of the Estate of Eleanor Bouch Jones Deceased
c/o Jan Tyrer Planning Consultant**

**Awelfryn
Allt Cichle
Llandegfan
Menai Bridge
Ynys Mon
LL59 5TD**

Cais amlinellol ar gyfer codi 22 annedd ynghyd a
chreu mynedfa newydd ar dir rhwng

Outline application for the erection of 22 dwellings
together with the construction of a new access on
land between

Pentrefelin and Waenfawr Estate, Holyhead



Planning Committee: 06/02/2013

Report of Head of Planning Service(NJ)

Recommendation:

Permit

Reason for Reporting to Committee:

At its meeting held on 9th January 2012 the Members resolved to accept the officer recommendation that a site visit should take place prior to determining the application. The site visit took place on 23rd January and the Members will be familiar with the site and its setting.

1. Proposal and Site

The application is made in outline with all matters reserved. The proposal is for a residential estate of 22 units, providing a mix of single and two storey dwellings. Two storey dwellings (4 no.) will at maximum reach 8.5m to ridge and 10x13.5m on plan; affordable housing units (7 no.) will at maximum reach 8.5m to ridge and 5x9.5m on plan as individual units; bungalows (11 no.) will at maximum reach 5.5m to ridge and 12x16m on plan. Access and drainage are proposed through the existing Pentrefelin estate.

The application is supported by an Ecological Report and as part of the proposals a landscape buffer zone and green corridor are proposed.

2. Key Issue(s)

Compliance with relevant development plan policies; highway safety and drainage; ecological issues.

3. Main Policies

Gwynedd Structure Plan

Policy A2: Housing land
Policy A3: Scale and phasing
Policy A9: Affordable Housing
Policy D4: Location, siting and design
Policy D9: Environmentally sensitive areas
Policy D10: Flora and fauna
Policy D20: Sewage disposal
Policy D32: Landscaping

Ynys Mon Local Plan

Policy 1:General Policy
Policy 28:Tidal inundation and river flooding
Policy 32 Landscape
Policy 35:Nature conservation
Policy 48:Housing development criteria
Policy 49:Defined settlements
Policy 51:Large sites
Allocation T8

Stopped Unitary Development Plan

Policy GP1: Development control guidance

Policy GP2: Design

Policy EN4: Biodiversity

Policy HP2: Housing Density

Policy HP3: New housing development

Policy HP7: Affordable housing

Policy SG2: Development and flooding

Policy SG4: Foul sewage disposal

Policy SG6: Surface Water run-off

Planning Policy Wales Edition 5 (November 2012)

TAN 5: Nature, Conservation and Planning

TAN 12: Design

TAN 15: Development and Flood Risk (July 2004)

TAN 20: The Welsh Language – Unitary Development Plans and Planning Control

SPG : Affordable Housing

SPG : Design Guide

4. Response to Consultation and Publicity

Local Member – requests that the matter be determined by the Planning and Orders Committee due to flood risk

Town Council – objection due to increase in traffic that would occur in accessing and leaving the site from the proposed housing development which would then join the existing flow of traffic onto South Stack Road

Joint Planning Policy Unit – no objection on policy grounds

Environment Agency – low environmental risk – standard advice applies

Drainage Section – drainage details are satisfactory in principle. Detailed designs should be submitted with any full planning application.

Highways Section – reply awaited at the time of writing. Query re landownership at the access point resolved.

Dwr Cymru-Welsh Water – Standard conditions

Countryside Council for Wales – no objection. Satisfied with survey methodology and mitigation proposals.

Ecological Advisor – comments on ecological report and concerns raised by objectors. Condition proposed.

Public response to notification: 9 letters of objection have been received together with a 42 name petition. Objections are raised in relation to:

The proposal will lead to unacceptable heavy traffic;

the extra traffic will cause safety problems, parking problems and delays;
danger of traffic conflict with children's play area;
in the sale of the land in 2002, access was to be off Waenfawr Estate;
Concerns regarding issue of ransom strip at Waenfawr preventing access through this estate;
views will be blocked;
disruption during construction;
concerns regarding the ecological assessment and presence of slow worms;
Properties at the lower end of Pentrefelin already suffer waterlogged gardens and the fire service has been called to deal with blockages in the watercourse – the problems will be exacerbated with additional discharges. Rainfall is currently absorbed into the site – if built upon and water is channelled through pipes to the watercourse, it could lead to flooding downstream;
The optimum fall for drainage cannot be achieved;

The Highway Authority is assessing the access and road layout and a formal reply is awaited although it is not anticipated that any objections will be raised. The historic association with the Waenfawr Estate does not preclude an application for planning permission for an alternative development which must be considered on its individual planning merits. The presence of a ransom strip and any negotiations are private matters between the developer and landowner. Access for vehicular traffic via Waenfawr is not proposed as part of the application and the application as submitted must be determined on its own merits. Concerns regarding loss of views are insufficient in themselves to influence the recommendation made. It is accepted that there will be some disturbance and inconvenience during the construction phase but this is true of any development and is relatively short-lived and again, is insufficient in itself to influence the recommendation. The ecological reports and drainage details have been assessed by relevant consultees and are considered acceptable. Surface water run-off is currently unrestricted whereas the proposal entails draining the site, with attenuation, into the public drainage system which discharges into the nearby watercourse.

5. Relevant Planning History

H117's – historical files relating to parts of the site and development of the current Waenfawr and Pentrefelin Estates.

19C313 – Erection of 12 bungalows and private garages on Phase 1, Pentrefelin Estate, Holyhead – approved 20/07/90

6. Main Planning Considerations

Principle of the Development: The site is located within the development boundary of Holyhead in the Ynys Mon Local Plan and is allocated specifically for housing development under allocation T8. The remaining land in the applicant's ownership, and which will be used to create a landscape buffer and habitat area, is located outside the development boundary.

The site is located amongst existing residential development and the Joint Planning Policy Unit has confirmed that the principle of residential development is acceptable.

Affordable housing units are proposed as part of the scheme in accordance with policy requirements.

Highways and Drainage: Concerns have been expressed regarding the fact that vehicular access will be taken solely through Pentrefelin and not through the Waenfawr Estate. The Highway Authority is however assessing the proposals and it is not anticipated that any objection on highway safety issues will be raised. Concern has been expressed regarding a ransom strip at the access to the Waenfawr Estate which has prevented vehicular access to the proposed development site from this direction. Any discussion between the developer and the landowner are private issues outside the planning process and the application must be

considered on its individual planning merits in accordance with the details as submitted. Concerns have been expressed regarding periodic flooding of gardens at Pentrefelin and the likelihood of issues being exacerbated if the development proceeds. The proposal includes sustainable drainage solutions such as rainwater harvesting to each dwelling together with surface water attenuation in the estate road in order to control the flow of surface water discharge. Dwr Cymru-Welsh Water has suggested conditions including that no development should commence on the site until a comprehensive and integrated drainage scheme has been approved. The application is made in outline with all matters reserved. The scheme is considered acceptable in principle by consultees. The Environment Agency raises no concerns and recommends its standard construction phase advice rather than any specific condition.

Landscape and Habitat : Concerns have been expressed regarding the loss of habitat at the site, for example, the potential effects on wildlife including slow worms and their habitat. The application is supported by Ecological Reports and supplementary information on the survey work. These have been assessed by the Countryside Council for Wales and the Council's Ecological Advisor and are considered acceptable. An objection letter raising concerns regarding effects on slow worms at the site has been specifically considered by the consultees. The application proposes a landscape and habitat buffer zone between existing dwellings at Pentrefelin and the application site and further proposes an additional landscape buffer to the northern boundary of the site on land in the applicant's ownership to both provide a natural transition between the built form of the development and open land to the north but also to provide suitable habitat for wildlife species including badgers and slow worms.

Design and Privacy Issues: The application is made in outline with all matters reserved. Under Article 3 of Part 2 to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, where layout is a reserved matter, the application must state the approximate location of buildings, routes and open spaces included in the development; where scale is a reserved matter, the application must state the upper and lower limits for the height, width and length of each building included in the proposal and where access is a reserved matter, the application must state the area or areas where access points to the development as proposed will be situated. A layout plan has been provided giving an indication of a possible layout for the site, giving the approximate location of buildings and the estate road and the access to the site. A schedule of upper and lower limits for the buildings has been provided. If developed to the maximum parameters as listed however, it is considered that several of the plots would be overdeveloped resulting in a cramped site. The position of plot H17 gives an uneasy relationship with the existing dwelling at 29 Waenfawr Estate and with the streetscene. Proximity distances are respected in accordance with SPG advice. Amended proposals have been requested. The site is undulating in form and is dotted with rock outcrops. Some engineering works will be required to achieve suitable levels. The principle of the proposal is however acceptable. Detailed design issues can be considered at the detailed application stage.

7. Conclusion

The development of the site for housing is acceptable in principle as the site is allocated specifically for housing development within the Ynys Mon Local Plan. The traffic implications of the development are considered acceptable and landscape and wildlife implications can be adequately controlled through conditions. Consultees are satisfied in principle with the drainage details. Subject to minor adjustments, the layout and buildings are considered acceptable in principle.

8. Recommendation

To **permit** the application subject to conditions and a S106 agreement on affordable housing

(01) The approval of the Council shall be obtained before any development is commenced to the following reserved matters viz. the layout, scale, appearance of the building, means of access thereto and the landscaping of the site.

Reason: To comply with the requirements of the Town and Country Planning Act 1990.

(02) Application for approval of the reserved matters hereinbefore referred to shall be made not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with the requirements of the Town and Country Planning Act 1990.

(03) The development to which this permission relates shall be begun not later than whichever is the later of the following dates namely: - (a) the expiration of five years from the date of this permission or (b) the expiration of two years from the final approval of the said reserved matters or in the case of approval on different dates the final approval of the last such matter to be approved.

Reason: To comply with the requirements of the Town and Country Planning Act 1990.

(04) No development shall take place until samples of the materials proposed to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The approved materials shall be used in the implementation of the development.

Reason : To ensure a satisfactory appearance of the development

(05) Full details of all fencing, walling or other means of enclosure or demarcation shall be submitted to and approved in writing by the local planning authority before their installation.

Reason: In the interests of amenity.

(06) The reserved matters application shall include full levels details and cross sections, as existing and as proposed, to datum point., together with finished floor levels for the plots.

Reason: To ensure the satisfactory appearance of the development

(07) No development shall commence until the developer has prepared a scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water and land drainage will be dealt with and this has been approved in writing by the local planning authority. The development shall proceed in accordance with the approved details unless the local planning authority gives its prior written consent to any variation. No occupation of the dwellings hereby approved shall take place until the drainage systems for the site have been completed and are operational.

Reason: In the interests of residential amenity and to ensure that the site is adequately drained.

(08) No site clearance works shall take place during the bird breeding season (1st March to 31st August inclusive) unless the site has been checked by a suitably qualified ecologist and the results of any such survey are confirmed in writing by the local planning authority.

Reason: To safeguard any protected species which may be present on the site.

(09) No site clearance works shall take place until the site has been surveyed for the presence of slow worms by a suitably qualified and experienced ecologist. The results of the survey shall be

submitted to and agreed in writing by the local planning authority and shall include detailed mitigation and proposals for the long term maintenance of any alternative habitat to be provided, where slow worms are found to be present on the development site. The development shall thereafter proceed in accordance with the details as may be agreed in writing by the local planning authority.

Reason: to safeguard any wildlife species which maybe present on the site.

(10) The development shall proceed in accordance with the recommendations set out in the Ecological Scoping Survey Report (Alison Johnson 2010) and Updated Information on Badgers Report (Alison Johnson 2012) submitted on 9/11/2012 under planning reference 19C313A unless the local planning authority gives its prior consent to any variation. Full details of the proposed planting of the green corridor and the off-site landscape buffer area, details of the badger tunnel area and its planting, together with full details of their future maintenance, shall be submitted to and approved in writing by the local planning authority. The development shall thereafter proceed in accordance with the details as may be agreed.

Reason: To safeguard any protected species which may be present on the site.

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11.1

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: 36C322 Application Number

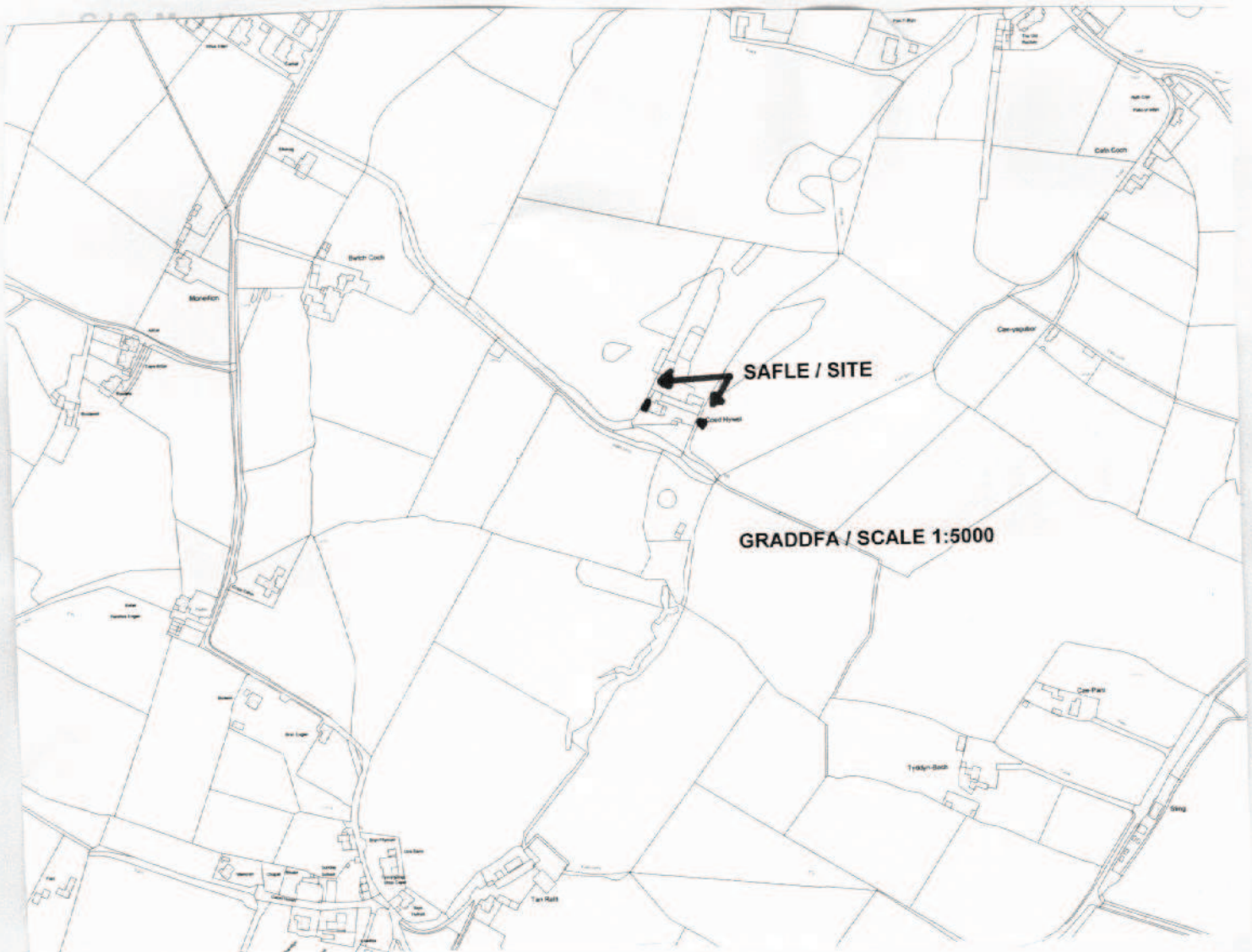
Ymgeisydd Applicant

**Mr & Mrs R W Owen
c/o Mr Eric Hughes
Morwel
20 Trem y Foel
Felinheli.
LL56 4UZ**

Cais llawn ar gyfer addasu ac ehangu ynghyd a gosod sustem trin carthion breifat yn

Full application for alterations and extensions together with the installation of a private treatment plant at

Coed Hywel, Llangristiolus



Planning Committee: 06/02/2013

Report of Head of Planning Service (NJ)

Recommendation:

Permit

Reason for Reporting to Committee:

The applicant is related to a relevant officer who owns the property. The application has been scrutinised by the Monitoring Officer in accordance with the Council's constitution.

1. Proposal and Site

The site is located at the end of a private drive accessed off a minor road leading in a southwesterly direction out of the village of Llangristiolus. The dwelling itself is located to the south east of the village.

The site is occupied by a two storey dwelling and a range of outbuildings. The application is made to replace an existing flat roof on a rear two storey extension with a double pitched slate roof and to add a lean-to style sun and utility room to the rear. The proposal includes the installation of a new private sewage treatment plant outside the curtilage.

The site is bordered by a public footpath. Works to connect into the proposed new treatment plant will cross the line of the footpath.

2. Key Issue(s)

The application's key issues are whether the proposal will affect the character of the local area

3. Main Policies

Ynys Môn Local Plan

Policy 1 – General Policy

Policy 31- Special Landscape Area

Policy 58- Extensions

Gwynedd Structure Plan

Policy D4 – Location, Siting and Design

Policy D29 – Design

Stopped Unitary Development Plan

Policy GP1 – Development control Guidance

Policy GP2 – Design

Policy HP7a - Extensions

Policy SG5 – Private Sewage Treatment Facilities

Planning Policy Wales (Edition 5)

Technical Advice Note 12 – Design

Circular 10/99: Planning requirements in respect of the use of non-mains drainage, incorporating septic tanks in new development

Supplementary Planning Guidance – Design in the Urban and Rural Built Environment

4. Response to Consultation and Publicity

Local Member – No reply to consultation at the time of writing

Community Council – No reply to consultation at the time of writing

Environment Agency – low environmental risk – standard advice applies

Drainage-drainage details are satisfactory in principle

Footpaths Officer – No reply to consultation at the time of writing

Response to Publicity

The application was publicised through press advert, neighbour notification and site notice. The expiry date for the receipt of observations is 6th February 2013. At the time of writing, no representations had been received.

5. Relevant Planning History

None relevant to the application proposal

6. Main Planning Considerations

Principle of the Development: The site is an existing extended dwelling with a two-storey flat roof extension to the rear. The scheme involves replacing the flat roof with a pitched slate roof which will enhance the appearance of the dwelling and which is in line with policy preference on extensions. The rear utility sun and utility room extension is subservient to the main dwelling and acceptable in terms of scale and design. The proposed treatment plant is to be located within the adjoining field with connection to it crossing the line of the public footpath which borders the site.

Affect on the locality – The site is located in an isolated position within the Special Landscape Area. A public footpath borders the site but views into the site in part are obscured by trees. The extension as proposed will improve the appearance of the dwelling. The treatment plant will have no discernible impact once installed. Some disturbance will inevitably occur during installation but this will be short-lived. A response from the footpaths officer was awaited at the time of writing to ascertain whether any particular planning requirements are necessary in relation to the footpath during installation of the treatment plant and connections to it.

Affect on surrounding properties – The property is located some 250m downhill of neighbouring properties. The dwelling itself is set below a bank. The proposal will have no impact on nearby properties.

Highways and Technical Issues: Consultees are satisfied in relation to the drainage proposals. A response was awaited from the footpaths officer at the time of writing.

7. Conclusion

The proposed extensions comply with policy requirements and will enhance the overall appearance of the dwelling. The drainage aspects are considered acceptable. A response was awaited from the Footpaths Officer at the time of writing and the neighbor notifications expire on 6th February.

8. Recommendation

To **permit** the application subject to no representations being received raising issues not considered in the above report and subject to receipt of a reply from the Footpaths Officer together with the imposition of any condition as necessary arising from that reply..

(01) The development to which this permission relates shall be begun not later than the expiration of five years beginning with the date of this permission.

Reason: To comply with the requirements of the Town and Country Planning Act 1990.

Rhif y Cais: 49C255F/TPO Application Number

Ymgeisydd Applicant

Mr Martin Jones
5 Llys Coedlys
London Road
Valley
LL65 3FD

Cais ar gyfer gwaith i goeden Norway Maple wedi ei ddiogelu dan Orchymun Diogelu Coed yn

Application for works to a Norway Maple tree protected by a Tree Preservation Order at

5 Llys Coedlys, London Road, Valley



Planning Committee: 06/02/2013

Report of Head of Planning Service (SWO)

Recommendation:

Permit

Reason for Reporting to Committee:

The applicant is a relevant officer as defined within paragraph 4.6.10.4 of the Constitution

In accordance with the requirements of paragraph 4.6.10.4 of the Constitution the matter must therefore be reported to the Planning and Orders Committee for consideration.

The matter has also been scrutinized by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

1. Proposal and Site

The application in part relates to works which are claimed to have been inadvertently carried out, caused or permitted to be carried out by the applicant on a 'Norway Maple' (acer platenoides) situated next to the gable of the applicants property within the curtilage of; 5 Llys Coedlys, Valley. The tree in question forms part of a group which is identified as G6 which is protected by a Tree Preservation Order (TPO): 129 on the Departments Tree Preservation Register.

The applicant contacted the department in person to advise of his actions upon realization that the tree in question was protected and the matter was duly investigated. The investigation(s) served to establish the fact that the works carried out were indeed un-authorized and would not have been exempted by virtue of the fact that the tree in question was dying, dead or dangerous at the time. As permission had not been granted for the works and the works were not exempted the matter constitutes an offence under s.210 of the Planning Acts.

The current application seeks to address matters by way of correctly pruning and/or removing several of the lower branches which have been affected and reducing the crown of the tree by no more than 25% in an effort to encourage better form and balance as well as minimizing the impact of the crown on the dwelling itself.

2. Key Issue(s)

- Tree Preservation Order – Whether or not the works have put the future of health of the tree at risk.
-

3. Main Policies

Ynys Mon Local Plan

Policy 1 (General)

**Stopped Anglesey Unitary Development Plan
'UDP'**

GP 1 (Development Control Guidance)

EN14 (Tree Preservation Orders and Hedgerows)

Planning Policy Wales (Edition 5)

Technical Advice Note (TAN) Wales 9- Enforcement of Planning Control Technical Advice Note (TAN) Wales 10 - Tree Preservation Orders (1997)

4. Response to Consultation and Publicity

Local Member- No Response at the time of writing

Community Council- No objection to the required work being undertaken to the tree provided it complies with the recommendations made in the report. However, if possible we would request that a condition be applied that there should be no further interference with the root system of the tree so as to deem it unstable in the future.

The application was also publicised by the local planning authority in accordance with statutory requirements.

At the time of writing this report, no representations had been received.

5. Relevant Planning History

49C255 - Full plans for the erection of 9 dwellings together with alterations to an existing vehicular access and the felling of some trees protected under a tree preservation order at Coedlys, London Road, Valley.
Permitted - 13/11/2008

49C255A/LB - Listed Building Consent for the relocation of existing wall and milestone at Coedlys, London Road, Valley.
Permitted - 18/05/2005

49C255B - Full plans for the demolition of the existing dwelling together with the erection of 4 dwellings and construction of a new vehicular access on part of land at Coedlys, London Road, Valley.
Withdrawn - 14/08/2008

49C255C - Amended plans for the erection of a dwelling on plot 1 Coedlys London Road Valley
Permitted - 20/07/2012

49C255D - Amended detailed plans for the siting of a dwelling at plot 9 Coedlys London Road Valley.
Permitted - 09/09/2011

49C255E - Amended plans for the erection of a dwelling on plot 2 Coedlys, London Road, Valley
Permitted - 08/02/2012

6. Main Planning Considerations

Upon identifying the fact that the tree in question, being a 'Norway Maple' forming part of a group known as G6 under Tree Preservation Order (TPO)-129 on the Departments TPO Register, the applicant was requested to commission suitably qualified specialists to undertake a survey of the tree.

The report, which can be viewed in full on the planning file, concluded that the tree had not been placed at significant risk as a result of the work carried out and could be retained subject to remedial works and further inspections carried out within 18 to 24 months which the applicant has confirmed under caution that he is prepared to undertake.

The report has subsequently been subject to consultation with officers of the Built Environment and Landscape Section whose conclusions state that the tree is of an unbalanced form and while this is not readily visible in terms of the group, reshaping would improve its local amenity in the medium term, with no likely adverse effects to health.

On balance therefore, having given detailed consideration to the report prepared by Roundwood Tree Technology together with the professional consultees comments in the matter and all other material planning considerations, it is not considered that a refusal can be warranted and that formal action be instigated in the matter.

7. Conclusion

In this instance I have considered the substance of all representations submitted to the department for consideration which includes those presented by the applicant, his tree specialist and statutory consultees alike and have balanced these against the advice contained within the relevant policy documents.

Paragraph 6 of Technical Advice Note (Wales) 9- 'Enforcement of Planning Control' states that... 'Enforcement action should be commensurate with the breach of planning control to which it relates;...The intention should be to remedy the effects of the breach of planning control, not to punish the person(s) carrying out the breach. Nor should enforcement action be taken simply to regularize development for which development had not been sought and which is otherwise acceptable.'

A local planning authority's power to take formal enforcement action is discretionary. In the first instance, it should attempt to persuade the landowner to comply with the duty voluntarily.

In this respect the applicant promptly ceased works on site following the realization of his error and a formal application was prepared and submitted to the Authority in an effort to regularize matters.

It would appear that there was no covert intention to breach the planning regulations and no benefit or advantage of any kind has been gained by the applicant as a result.

8. Recommendation

That Tree Preservation Order Consent is **permitted** subject to the following conditions.

(01) The works authorized by this consent shall be carried out in accordance with the details submitted on the form of application together with all other supporting documentation and plans submitted on the 18th December, 2012 under application reference number 49C255F/TPO. The said work shall be carried out in accordance with the British Standard 3998: 2010 Tree Work. Recommendations and shall be completed within 3 months from the date of this permission.

Reason: To ensure that works are carried out to the required standard and to mitigate any long term negative impact.

9. Other Relevant Policies

Circular 64/78- Trees and Forestry

Circular 35/95- The Use of conditions on planning permissions.

12.1

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: 11C399E Application Number

Ymgeisydd Applicant

**Mrs P H Gleave
c/o Mr Eric Roberts
RGR Partnership
RGR Partnership First Floor Natwest Bank Building
Glanhwfa Road
Llangefni
LL77 7EN**

Gosod chalet pren ar gyfer defnydd sy'n atodol i'r
prif annedd yn

Siting of a timber chalet for use incidental to the
main dwelling at

Tyn y Coed, Penrhyd, Amlwch



Planning Committee: 06/02/2013

Report of Head of Planning Service (MTD)

Recommendation:

Refuse

Reason for Reporting to Committee:

On request of Local Member

1. Proposal and Site

The site forms part of the curtilage of Tyn Y Coed Farm, the application is to erect a timber chalet for residential use.

2. Key Issue(s)

Whether the proposal can be supported in policy terms.

3. Main Policies

Ynys Mon Local Plan

1 General policy
26 Car Parking
30 Landscape
57 Residential Caravans

Ynys Mon Unitary Development Plan

GP1 Development Control Guidance
TR10 Parking
EN1 Landscape Character

4. Response to Consultation and Publicity

1 letter has been received points raised include;

Agree with the planning committees previous decision to refuse
Concerns in respect of drainage foul and surface water
The boundaries on the plan are incorrect there is a large swimming pool not shown.

Local Member has referred the application to Committee for its determination.
Community Council
Welsh Water no objection

5. Relevant Planning History

11C399D - Erection of a chalet refused 2/2/12

6. Main Planning Considerations

This application is the same as that previously refused at the planning committee in Feb 2012.

The proposed chalet falls within the definition of a caravan and is self contained. The residential use of such a structure is contrary to Development Plan policies which seek to restrict additional static caravans and also the residential occupation thereof.

7. Conclusion

The proposals are contrary to Development Plan policy and if permitted could be repeated elsewhere.

8. Recommendation

Refuse

(01) The proposed siting of a residential caravan on this site would result in a form of development which the provisions of the Development seek to prevent and would be contrary to policies 9,31 and 57 of the Ynys Mon Local Plan and policy EN1 of the Ynys Mon Unitary Development Plan

12.2

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: **23C306** Application Number

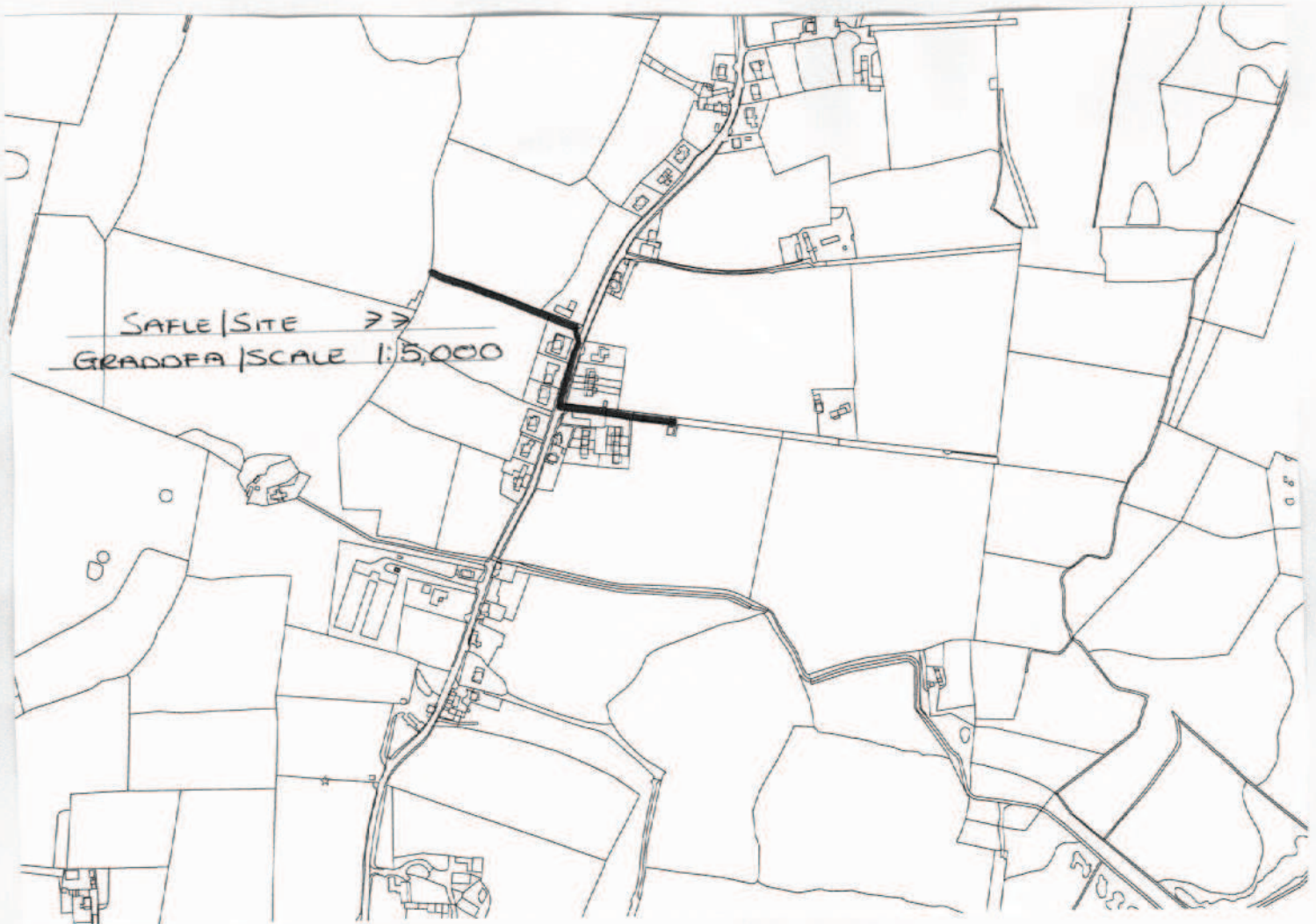
Ymgeisydd Applicant

**Head of Service (Housing)
c/o Capita Symonds
Penrhos Manor
Oak Drive
Colwyn Bay
LL29 7TW**

Gwelliannau i'r gwaith trin carthion presennol a gosod gorsaf bwmpio ar dir tu ôl i

Improvements to existing sewage treatment works and installation of a pumping station on land to the rear of

Maes Gwynedd, Capel Coch



Planning Committee: 06/02/2013

Report of Head of Planning Service (DPJ)

Recommendation:

Permit

Reason for Reporting to Committee:

The Isle of Anglesey Council is the applicant.

3. Proposal and Site

The application is made to divert the effluent discharge point for an existing sewage treatment plan serving four houses. The current discharge point is into a watercourse which flows through Cors Erddiniog, a Special Area of Conservation (SAC), Site of Special Scientific Interest (SSSI) and RAMSAR site then into Afon Erddeiniog which leads to Llyn Cefni which is a water supply reservoir. This existing outfall is to be abandoned. A new outfall would be constructed to the west of Capel Coch and into a different catchment of the Afon Cefni, which flows to the opposite end of Llyn Cefni via Llyn Frogwy.

4. Key Issue(s)

- Acceptability of the alternate drainage arrangement.

3. Main Policies

Gwynedd Structure Plan

D20 Pollution

Ynys Mon Local Plan

1 General Policy

Stopped Ynys Mon Unitary Development Plan

GP1 Development Control Guidance

GG5 Private Treatment Facilities

Planning Policy Wales Edition 5 (February 2012)

4. Response to Consultation and Publicity

Local Member No observations at the time of writing.

Community Council No observations at the time of writing.

Highways Informative recommended regarding a Traffic Management Plan.

Drainage The drainage details appear acceptable in principle.

Environmental Services

Environmental Advisor No ecological comments.

Countryside Council for Wales Does not object to the proposals.

Environment Agency No objection to the development in principle. An informative is recommended explaining that the applicant will need to have the current permit varied.

Response to Publicity

None received.

5. Relevant Planning History

No material planning history.

6. Main Planning Considerations

The consultation responses received to date from the council's Drainage Engineer and the Environment Agency indicates that the re-sited position of the discharge point are acceptable. Subject to any comments from the council's Environmental Services Section the proposal is acceptable.

Positive weight can be attributed to the proposal in terms on benefits to the statutory nature conservation designations.

7. Conclusion

The proposal is acceptable subject to the receipt of comments from the council's Environmental Services Section.

8.Recommendation

Subject to the receipt of comments from the Environmental Services Section that the application is **permitted** subject to the following conditions:

(01) The development hereby permitted shall be begun before the expiration of (five) years from the date of this permission.

Reason: To comply with the requirements of Section 91(1) of the Town and Country Planning Act 1990.

Informative

Highways memo 05.12.12.

Environment Agency letter 03.12.12

12.3

Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: **39C524** Application Number

Ymgeisydd Applicant

**Head of Service (Highways)
Isle of Anglesey County Council
Highways & Waste Management
Concil Offices
Llangefni
LL77 7TW**

Cais llawn i osod cerflunwaith ar dir yn

Full application for the installation of a sculpture on
land at

Anglesey Costal Path, Menai Bridge



Planning Committee: 06/02/2013

Report of Head of Planning Service (OWH)

Recommendation:

Permit

Reason for Reporting to Committee:

The application is presented at this time to enable a grant deadline to be met.

1. Proposal and Site

The site is located along Beach Road in Menai Bridge and is adjacent to the Coastal Path. The site is located within the Menai Bridge conservation area. The site is within or on the boundary of the Coed Cynrol Tree Preservation Order (TPO No. 52).

The application is a full application for the placing of a decorative sculpture as a marker for the Ynys Môn Coastal Path. The sculpture measures 1800mm wide x 1370mm high and 980mm deep. It will be decorated with carved concentric lines emanating for the outline of Anglesey. It will be placed adjacent to the existing path along Beach Road in Menai Bridge.

2. Key Issue(s)

The key issues to consider are whether the principle of the development is acceptable, whether the proposal will affect the designated conservation area and the Coed Cynrol Tree Preservation Order.

3. Main Policies

Ynys Môn Local Plan

Policy 1 – General Policy

Policy 37 – Access to the Coast and Countryside

Policy 40 – Conservation of Buildings

Policy 42 - Design

Gwynedd Structure Plan

Policy D4 – Location, Siting and Design

Policy D25 – Conservation Area

Policy D29 –Design

Stopped Unitary Development Plan

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy EN13 – Conservation of Buildings

Planning Policy Wales, Edition 5, November 2012

Technical Advice Note 12: Design

Circular 61/96 – Planning and the Historic Environment: Historic Buildings and Conservation Areas.

4. Response to Consultation and Publicity

Local Member – No response received at time of writing report.

Town Council – Approval,

The Ancient Monuments Society - No response received at time of writing report.

The Council for British Archaeology - No response received at time of writing report.

Countryside Council for Wales - No response received at time of writing report.

The Georgian Group - No response received at time of writing report.

The Royal Commission on the Ancient and Historic Monuments of Wales - No response received at time of writing report.

The Society for the Protection of Ancient Buildings - No response received at time of writing report.

The Victorian Society - No response received at time of writing report.

Footpath Officer – No comment.

Public Consultation – The proposal was advertised through three means of publicity; the placing of a site notice near the site, the distribution of personal letters of notification to the owners / occupiers of properties in the immediate locality together with a notice in the local newspaper. The latest date for representations is the 13th February 2013. At the time of writing this report no representations had been received at the department.

5. Relevant Planning History

None.

6. Main Planning Considerations

Principle of Development – The proposal under consideration is for a sculpture to mark the beginning/end point of the Coastal Path. The decorated sculpture will provide a public art focus as a marker and will add prestige to the start point. Policy 37 of the Ynys Mon Local Plan states that proposals encouraging pedestrian access to the coast and countryside will be permitted. The coastal footpath forms part of the wider all-Wales Coastal Path supported by the Welsh Government.

Affect of the proposal on the designated conservation area and the Coed Cynol Tree Preservation Order - It is not considered that the proposal will unduly affect the character of the designated Conservation Area. Confirmation has been received that no works to the adjacent trees would be required as a result of the proposal, therefore it is not considered that the proposal will affect the Coed Cynol Tree Preservation Order.

7. Conclusion

The principle of the scheme is supported in policy terms. - It is not considered that the proposal will unduly

affect the character of the designated Conservation Area or Coed Cynol Tree Preservation Order.

8. Recommendation

To grant delegated powers to **permit** the application following the expiry of the consultations period and the consideration of any representations received.

(01) The development to which this permission relates shall be begun not later than the expiration of five years beginning with the date of this permission.

Reason: To comply with the requirements of the Town and Country Planning Act 1990.

(02) No development shall commence until a method statement for the installation of the sculpture together with its future maintenance has been submitted to and approved in writing with the local planning authority. The scheme shall proceed in accordance with the agreed details unless the local planning authority gives its prior written consent to any variation.

Reason: In order to ensure that damage does not occur to trees during the installment of the sculpture.

12.4 Gweddill y Ceisiadau

Remainder Applications

Rhif y Cais: 46C149L Application Number

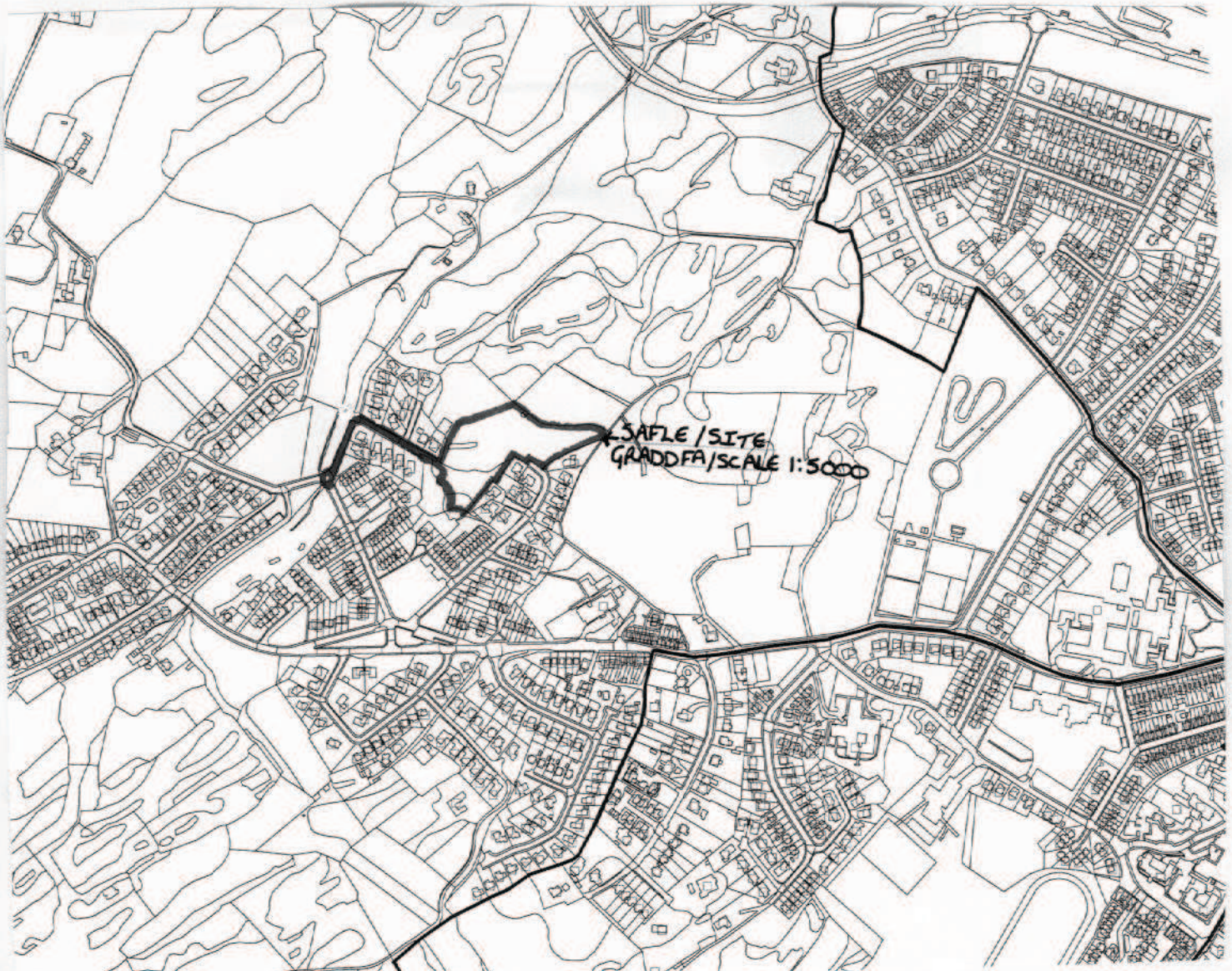
Ymgeisydd Applicant

**Anglesey Marine and Leisure
c/o Alan J Williams & Associates
48 Refail Farm,
Rhoscolyn,
Holyhead,
Anglesey.
LL65 2EX.**

Cais llawn ar gyfer newid defnydd y tir i greu darpariaeth storio cychod ynghyd a chreu mynedfa i gerbydau ar dir ger y maes parcio yn

Full application for the change of use of land to form a boat storage facility together with the construction of a vehicular access on land adjacent to the car park at

Trearddur Bay Hotel, Lôn Isallt, Trearddur Bay



Planning Committee: 06/02/2013

Report of Head of Planning Service (SCR)

Recommendation:

Permit

Reason for Reporting to Committee:

At the request of the Local Member

1. Proposal and Site

The proposal entails the change of use of a vacant parcel of land into a boat storage facility, the construction of a new vehicular access together with the siting of a portacabin.

The site lies in the centre of the village of Trearddur Bay. The site is situated off Lon Isallt and is located between the Trearddur Bay Hotel and Bowling Green. To the front of the application site is the Tennis Courts and Pavillion. The site lies opposite the boat launching slipway.

2. Key Issue(s)

The applications main issues are whether the proposal will have an adverse effect on the amenities of the occupants of neighbouring properties, whether the proposal will harm the surrounding landscape, whether the development complies with Technical Advice Note 15: Development and Flood Risk and whether the proposal will be detrimental to highway safety.

3. Main Policies

Ynys Môn Local Plan

Policy 1 – General Policy

Policy 2 – New jobs

Policy 5 - Design

Policy 28 – Tidal Inundation and River Flooding

Policy 31 – Landscape

Policy 36 – Coastal Development

Gwynedd Structure Plan

Policy B1 – Jobs

Policy CH1 – Recreation and Tourism

Policy D4 – Location, Siting and Design

Policy D29 – Design

D32 – Landscape

Stopped Unitary Development Plan

Policy GP1 – Development Control Guidance

Policy GP2 – Design

Policy EN1 – Landscape Character

Policy EN9 – Development in or near Wetlands, Water Courses and Shorelines

Policy TO8 – Water or Boating Facilities

Policy SG6 – Surface Water Run Off

Planning Policy Wales – 5th Edition – November 2012

TAN 12: Design

TAN 13 – Tourism

TAN 14: Coastal Planning

TAN 15 – Development and Flood Risk

TAN 16: Sport, Recreation and Open Space

TAN 18: Transport

4. Response to Consultation and Publicity

Local Member – Requested that the application be referred to the Planning and Orders Committee for determination due to concerns with the access

Community Council – Comments regarding access, landscaping, flood barriers, light pollution. Stated that the proposal lacked detailed information

Welsh Water – Recommended conditional approval

Highways – Further information required

Drainage – Further information required

Environment Agency – Recommended conditional approval

Economic Development Unit – Support application

The application was afforded three means of publicity these were by the posting of a notice near the site, publication of a notice in the local press and the serving of personal notifications on the occupants of neighbouring properties. The latest date for the receipt of representations was the 11th January, 2013 and at the time of writing this report 31 letters of support and 7 letters of objection had been received at the department. The main issues raised were:

In support of the application:

- i) Proposal will be good for the Trearddur Bay Hotel and local economy
- ii) The relocation of the boatyard from Lon St Ffraid to Lon Isallt will help minimise traffic and relieve congestion
- iii) If the application is not supported it would be a great loss to the Trearddur community

The issues raised in objection to the proposal can be summarised as follows: :

- i) Highway – additional access on busy road a number of accesses already on this part of Lôn Isallt, proposal will not ease existing traffic congestion
- ii) Proposal increases risk to children, pedestrians and passing traffic
- iii) Landscape Impact - Coastline is within an Area of Outstanding Natural Beauty and proposal will spoil the aspect and natural beauty of the seafront
- iv) Loss of views
- v) Drainage - Increase risk of flooding – the site overlaps environmentally sensitive land and proposal will affect wildlife and biodiversity by way of fuel spillage
- vi) No details of the fencing, office and security features have been submitted as part of the application
- vii) Noise disturbance from boat maintenance and the use of the tractors
- viii) Proposal will not create new jobs due to the nature and size of the business

In response to these comments I would state:

- i) The Highway Authority have confirmed that they have no objection in principal to the proposal subject to the receipt of further details regarding the flood defence system and detailed access design
- ii) When the storage area was located on Lon St Ffraid the boats were towed from the yard via Lon Isallt and onto the slipway. The proposed site is located nearer to the slipway which will result in the reduction in travel journeys between the compound and slipway. The site shall only be used by the site operator and members of the public will not be visiting the site.
- iii) The applicant has stated that landscaping works shall be provided along the boundary of the site and a condition will be imposed on the permission requesting that a detailed landscaping/screening scheme be submitted to the department prior to the commencement of the works on the site.
- iv) The proposal is situated more than 97 metres away from the immediate neighbouring property and therefore it is not considered that the proposal will affect the amenities currently enjoyed by the occupants of neighbouring properties to such a degree as to warrant the refusal of the application. Landscaping along the boundary of the site will also obscure the storage area from the nearby residential properties and surrounding area.
- v) Further details is required in relation to the drainage of the site. The ground levels of the application site shall not be altered as part of the proposal. The proposal is for the change of use of the site for the storage of boats and it is considered that some degree of repair/maintenance and cleaning of the vehicles on the site would be incidental to the main use of the site. A flood consequence assessment submitted as part of the application confirms that the proposal is acceptable and will not increase the risk of flooding.
- vi) No details of the proposed fencing has been submitted as part of the application and a condition will be imposed on the permission requesting details of the proposed security fencing and any security lighting to be submitted for the local planning authority's approval prior to the commencement of the works on the site.

vii) The site shall not be open to members of the public and the boats shall be towed from the site via tractor by the site operator. The site is located in the centre of Trearddur Bay which attracts many visitors by way of vehicular and pedestrian traffic and it is not considered that the use of the tractors will generate noise disturbance to the occupants of the surrounding properties to such a degree as to warrant the refusal of the application. However, in the event that these activities do become a statutory nuisance powers exist under Environmental Health Legislation to take action. As stated above minor repairs/maintenance and cleaning of the vehicles is considered acceptable and is considered to be incidental to the main use of the site. The screening of the site will minimise the impact of noise to the neighbouring properties

viii) The applicant has confirmed that the business employs 5 persons.

5. Relevant Planning History

46C149 - Alterations and extensions to Burgee Suite, Trearddur Bay – Approved 20/04/89

46C149A - Alterations and extensions to Trearddur Bay Hotel, Trearddur Bay – Approved 19/03/90

46C149B/AD - Erection of an externally illuminated sign at Trearddur Bay Hotel, Trearddur Bay – Approved 12/10/90

46C149C/AD - Erection of an external static illuminated sign at Trearddur Bay Hotel, Trearddur Bay – Approved 01/11/91

46C149D - Change of use of dwelling to form part of the hotel together with the erection of a single storey link at Sandcroft and Trearddur Bay Hotel, Trearddur Bay – Approved 24/03/97

46C149E- Alterations and extensions to Tower House, Trearddur Bay Hotel, Trearddur Bay – Approved 27/03/03

46C149F - Demolition of the existing Burgee Bar and function room together with the erection of a new bar, conference centre/function suite at Trearddur Bay Hotel, Trearddur Bay – Approved 09/07/03

46C149G – Erection of a smoking shelter at Trearddur Bay Hotel, Trearddur Bay – Approved 06/09/07

46C149H – Retention of the storage container on land at the Trearddur Bay Hotel, Trearddur Bay – Approved 25/09/07

46C149J- Change of use of land to form a boat storage facility, the installation of a cess pit together with the construction of a vehicular access on land adjacent to the car park at Trearddur Bay Hotel, Trearddur Bay – Withdrawn 05/04/12

46C149K - Application for the retention of the breezehouse and children's play area at Trearddur Bay Hotel, Trearddur Bay – Approved 29/07/11

6. Main Planning Considerations

Affect on the amenities of occupants of neighbouring properties – Concerns have been raised by the occupants of the neighbouring properties that the proposal will result in loss of views and noise

disturbance. The application site lies approximately 97 metres away from the front of the immediate neighbouring properties. Owing to the distance between the site and neighbouring properties it is not considered that the proposal will detrimentally affect the amenities currently enjoyed by the occupants of the properties to such a degree as to warrant the refusal of the application. The site is situated within the centre of Trearddur Bay which is busy during the holiday periods with both pedestrian and vehicular traffic and therefore it is not considered that the use of tractors to and from the application site will result in greater noise disturbances to the occupants of the neighbouring properties than that generated at present.

Concerns have also been raised by members of the public that the proposal may be detrimental to the Trearddur Bay Hotel which is located next to the application site. The land which forms the application is owned by the Trearddur Bay Hotel and notice has been served on the owner, to date no adverse comments have been received at the department by the owner of the Hotel. However as screening is proposed along the boundary of the application site it is not considered that the proposal will affect the neighbouring hotel.

Landscape Impact – As stated above the site is located within the settlement of Trearddur Bay. In order to minimise any impacts the compound from the public vista and neighbouring properties a condition will be imposed on the permission in order to provide landscaping along the boundary of the site with details to be submitted to the local planning authority for approval prior to the commencement of works on site.

Although in close proximity to the designated Area of Outstanding Natural Beauty, nearby Listed Buildings and public footpath the site will be screened in order to reduce the impact of the proposal on the surrounding area. The site is considered suitable due to its close proximity to the slipway which will reduce the distance for vehicles being towed to the slipway.

Development and Flood Risk – As the site is located within a C2 Zone and a Flood Consequence Assessment was submitted as part of the application. The report stated that the proposed development could be implemented without conflicting with the requirements of Technical Advice Note 15 – Development and Flood Risk provided that the floor level of the proposed office be set 475 mm above existing ground levels.

Highway Safety – The Highway Authority have no objection in principle to the siting of the boat compound and the construction of a new vehicular access. However at the time of writing this report the Highway Authority were awaiting further details in regards to a flood defence system and detailed access information for approval.

7. Conclusion

The proposal will not detrimentally affect the amenities of the occupants of neighbouring properties or have an adverse effect on the surrounding landscape. The proposal complies with the requirement of Technical Advice Note 15: Development and Flood Risk. Subject to the receipt of satisfactory highway and drainage details my recommendation is one of approval.

8. Recommendation

Permit

(01) The development to which this permission relates shall be begun not later than the expiration of five years beginning with the date of this permission.

Reason: To comply with the requirements of the Town and Country Planning Act 1990.

(02) The site shall be used for the storage of boats only and no repair/maintenance/servicing of the boats shall be carried out at the site.

Reason: In the interests of residential and visual amenity.

(03) Full details of all fencing, walling or other means of enclosure or demarcation shall be submitted to and approved in writing by the local planning authority before any work on the site is commenced, unless otherwise agreed in writing with the local planning authority. Such works shall be erected prior to the commencement of the use of the development hereby approved.

Reason: In the interests of residential and visual amenity.

(04) Screening shall be provided, along the boundary of the site. Details of the proposed screening shall be submitted to and approved in writing by the local planning authority prior to the commencement of works on site. The screening works shall be carried out in full accordance with the approved details within.

Reason: In the interests of residential and visual amenity.

(05) Full details of any proposed security lighting shall be submitted to and approved in writing by the local planning authority prior to their installation.

Reason: In the interests of residential amenity.

(06) The development permitted by this consent shall be carried out strictly in accordance with the plans attached to this permission and the plans which may be required to be approved under condition(s) (03), (04) and (05) above.

Reason: For the avoidance of doubt.

9. Other Relevant Policies

None

10. Other Non-Material Issues Raised

i) Previous site was used to store caravans and should caravans be allowed on the new site would affect surrounding properties

ii) Neighbouring properties will not have been given the opportunity to comment on the application as they are not aware of the application due to the time of year when the application has been submitted. Also the area is quiet at this time of year and therefore the number of vehicular and pedestrian traffic is low and therefore a final decision should not be made without seeing the area at peak holiday times

iii) Portacabin to be raised 5 metres will create an eyesore

iv) More suitable areas for this development

In response to these comments I would state:

- i) The proposal is for the storage of boats only and caravans will not be stored on the site

- ii) As stated above the application has been afforded three means of publicity. These were by the posting of a site notice in four different locations, the publication of the notice in the local press and the posting of notices to the occupants of neighbouring properties and to persons who submitted representations during the course of determining application 46C149J. Although the site has been visited following the submission of the current application the department is aware of the nature and use of the site during the holiday periods.

- iii) The portacabin/office will not be raised 5metres off the existing ground level. The building will be raised 475 mm.

- iv) The application has been submitted for this site and is considered on its own merits. The site lies opposite the slipway for launching boats and is considered to be an acceptable site.

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13.1

Materion Erail

Other Matters

Report of Head of Planning Service (EGJ)

Recommendation: That Members note the decision to suspend the practice of acknowledging and individually notifying third parties of receipt of representations and the actual decision on the planning application submitted by Land and Lakes for the Penrhos/Cae Glas/Kingsland Sites.

Background and context: Representations received in respect of Land and Lakes development by third parties

Members will be aware of the publicity to date given to the Land and Lakes development and, notwithstanding the planning applications for wind turbine developments, this application is presently receiving an increasing level of public interest and submission of representations. The expectation is that this will increase up to the point at which the application will be submitted to the Planning Committee for consideration.

The current practice of the Planning Service is to acknowledge receipt of each individual letter received and thereafter inform the writer of the eventual decision. Members will appreciate that this is a costly and time consuming exercise which is diverting valuable and increasingly constrained resources away from front line service delivery and attention given to dealing with the application.

Members are requested to support the Officers request to cease the current practice of acknowledging and advising third parties of eventual decision relating to Land and Lakes development application.

In reaching this decision the Planning Service is mindful of the advice contained in Circular 32/92 "Publicity for Planning Applications" together with that contained in the "Town and Country Planning (Development Management Procedure) (Wales) Order 2012". There is clearly no statutory requirement on local planning authorities to acknowledge and notify third parties individually of decisions.

The Planning Service has always sought to go beyond this statutory requirement recognising that keeping third parties individually informed is both courteous and good practice. Nevertheless, a realistic approach has to be taken; paragraph 26 of the circular makes it clear that "in reaching this decision however, the costs involved will need to be taken into account". Notwithstanding the cost element the Service needs to ensure that sufficient staff resources are devoted to dealing with the application in a robust and professional manner.

Members, as well as the public, can be assured that all representations received will be taken into account as part of the process of preparing the Committee Report when it is drawn up.

If any form of reconsultation is required, dependent upon receipt of further information, the Planning Service will continue to ensure that all statutory requirements in respect of publicising this application will continue as present, either in the form of site notices, neighbour notifications or publishing a notice in a local newspaper. Likewise, each letter received will be placed on the appropriate planning file and taken into account by the Case Officer. A database of the names and addresses of writers will also be created. The Committee decision will, at the appropriate time, be placed on the Council's website.

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