

PLANNING AND ORDERS COMMITTEE

Minutes of the meeting held on 3 July 2013

- PRESENT:** Councillor William Thomas Hughes (Chair)
Councillor Ann Griffith (Vice-Chair)
- Councillors Lewis Davies, Jeffrey M.Evans, John Griffith, K P Hughes, Vaughan Hughes, Victor Hughes, Raymond Jones, Richard Owain Jones and Nicola Roberts
- IN ATTENDANCE:** Planning Development Manager (DFJ),
Planning Assistants
Senior Engineer (Development Control) (EJ),
Development Control Officer (RE),
Legal Services Manager (RJ),
Committee Officer (MEH),
Administrative Assistant (SC).
- APOLOGIES:** None
- ALSO PRESENT:** Local Members : Councillor J. Arwel Roberts (Portfolio Holder – Planning & Environment) – 7.1;
Councillor R.LL. Jones – 7.1;
Councillor Ieuan Williams – 10.1
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1 APOLOGIES

There were no apologies for absence.

2 DECLARATION OF INTEREST

Declarations of interest were made as follows :-

Councillor W.T. Hughes in respect of application 6.1
Councillor John Griffith in respect of application 7.1
Councillor Victor Hughes in respect of application 10.1.
Councillor Kenneth P. Hughes in respect of application 13.1

Councillors Lewis Davies, Ann Griffith, John Griffith, Vaughan Hughes, Nicola Roberts declared a personal interest on the basis that the Plaid Cymru manifesto contained points with reference to wind turbines. The Members stated that they would consider each application on its planning merits.

3 MINUTES

The minutes of the previous meeting of the Planning and Orders Committee held on 5 June, 2013 were presented and confirmed as correct.

4 SITE VISITS

The minutes of the Site Visit held on 19th June, 2013 were confirmed as correct.

5 PUBLIC SPEAKING

There were Public Speakers present in respect of applications 7.1 and 10.1.

6 APPLICATIONS THAT WILL BE DEFERRED

6.1 20LPA962/CC – Retrospective application for the recently constructed track together with improvements to the existing access on land opposite Fron Heulog, Cemaes

Councillor W. T. Hughes declared a personal interest in respect of this application.

The Planning Development Manager stated that the Local Member has requested that the Committee should visit the site.

RESOLVED that a site visit be undertaken in accordance with the request of the Local Member.

6.2 41C8C – Full application for the change of use of land for the siting of 33 touring caravans, erection of a toilet block, construction of a vehicular access together with landscaping at Garnedd Ddu, Star

The Planning Development Manager stated that the Planning and Orders Committee undertook a site visit, at the recommendation of Officers, on 19th June, 2013.

Further information has been submitted in support of the application and in order to allow the expiry of neighbour notification and the consideration of representations and consultation replies arising from this additional information, the application was recommended for deferral.

RESOLVED to defer consideration of the application at the request of the Officers.

6.3 46c427K/TR/EIA/ECON – A HYBRID PLANNING APPLICATION PROPOSING :- OUTLINE PLANNING APPLICATION, WITH ALL MATTERS RESERVED EXCEPT FOR MEANS OF ACCESS PROPOSING: A LEISURE VILLAGE AT PENRHOS COASTAL PARK, LONDON ROAD, HOLYHEAD COMPRISING UP TO 500 NEW LEISURE UNITS INCLUDING NEW LODGES, COTTAGES AND CONVERSION OF THE EXISTING ESTATE BUILDINGS; CENTRAL NEW HUB BUILDING COMPRISING RECEPTION, LEISURE FACILITIES INCLUDING INDOOR WATER PARK, TEN PIN BOWLING AND INDOOR SPORTS HALL AND CAFES, BARS, RESTAURANTS AND RETAIL; REFURBISHMENT AND EXTENSION OF ESTATE BUILDINGS TO PROVIDE CENTRAL FARMER'S MARKET, INDOOR CHILDREN'S PLAY AREA, CYCLE AND SPORTS HIRE CENTRE, SPA WITH GYMNASIUM AND CHANGING FACILITIES, THE BOATHOUSE RUINS FOR NEW CAFÉ AND WATERSPORTS CENTRE, AND THE BATHING HOUSE TO BECOME A NEW BEACHSIDE RESTAURANT; PROVIDING AND MAINTAINING 29 HECTARES OF PUBLICLY ACCESSIBLE AREAS WITH PUBLIC CAR PARKING AND ENHANCEMENTS TO THE COASTAL PATH, INCLUDING MANAGED WALKWAYS WITHIN 15 HECTARES OF WOODLAND, THE RETENTION AND ENHANCEMENT OF GRACE'S POND, LILY POND, SCOUT'S POND WITH VIEWING PLATFORMS, THE PET CEMETERY, WAR MEMORIAL, THE PUMP HOUSE AND PICNIC AREA WITH BIRD FEEDING STATIONS AND HIDES WITH EDUCATIONAL AND BILINGUAL INTERPRETATION BOARDS CREATED THROUGHOUT; CREATION OF A NEW WOODLAND SCULPTURE TRAIL AND BOARDWALKS AND ENHANCED CONNECTION TO THE COASTAL PATH; RETENTION OF PUBLIC ACCESS TO THE BEACH AND SHALLOW COASTAL WATERS AND A COMBINED HEAT AND POWER CENTRE. THE ERECTION OF LEISURE VILLAGE ACCOMMODATION AND FACILITIES WHICH COULD BE USED INITIALLY AS A TEMPORARY CONSTRUCTION WORKERS ACCOMMODATION COMPLEX FOR WYLFA B AT LAND AT CAE GLAS, PARC CYBI, HOLYHEAD COMPRISING: UP TO 315 LODGES TO BE INITIALLY SUB-DIVIDED TO ACCOMMODATE UP TO 2,000 CONSTRUCTION WORKERS; CENTRAL HUB BUILDING PROVIDING RECEPTION AND CANTEEN ANCILLARY TO ACCOMMODATION; A PARK AND RIDE FACILITY COMPRISING UP TO 700 CAR PARKING SPACES; A NEW HOTEL; A LAKESIDE HUB COMPRISING RESTAURANT, CAFÉ, RETAILS AND BAR; NEW GRASS FOOTBALL PITCH AND CRICKET PITCH; AND A COMBINED HEAT AND POWER CENTRE. TO BE SUBSEQUENTLY

CONVERTED (POST WYLFA B CONSTRUCTION) INTO A HIGH QUALITY EXTENSION TO THE PENRHOS COASTAL PARK LEISURE VILLAGE COMPRISING REFURBISHED LODGES AND FACILITY BUILDINGS TO CREATE A HIGH QUALITY HOLIDAY ACCOMMODATION (UP TO 315 FAMILY LODGES); A VISITOR CENTRE AND NATURE RESERVE ALLOWING CONTROLLED PUBLIC ACCESS; AND HERITAGE CENTRE WITH VISITOR PARKING. A RESIDENTIAL DEVELOPMENT COMPRISING UP TO 360 RESIDENTIAL DWELLINGS SET IN LANDSCAPING AND OPEN SPACES AT LAND AT KINGSLAND, KINGSLAND ROAD, HOLYHEAD. EACH PHASE OF DEVELOPMENT WILL HAVE ANCILLARY DEVELOPMENT COMPRISING CAR PARKING, SERVICING AREAS, OPEN SPACES AND PLANT AT PENRHOS COASTAL PARK, CAE GLAS AND KINGSLAND, HOLYHEAD.

It was reported that a site visit to the site was undertaken on 19 June, 2013.

RESOLVED to defer consideration of the application as consultations and notifications are being collated and it is anticipated that a report on the planning application will be presented to the next meeting of the Planning and Orders Committee on 31 July, 2013.

7 APPLICATIONS ARISING

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

Councillor John Griffith having declared an interest in this application withdrew from the meeting during the discussion and voting thereon.

It was reported that at its meeting held on 5th June, 2013 it was evident that due to a new membership of the Committee, the Members wished to visit the site to enable them to view the site. The application was consequently deferred in order to arrange a new site visit which took place on 19th June, 2013.

The Chair invited Mr. Derrick Edwards to address the Committee in opposition of the application. Mr. Edwards stated that he was speaking against the application on behalf of the local estate residents. He explained that the 'design and access fails in improving the character and quality of an area should not be accepted' this is a quote from the Design and Access Statement to assist in planning decisions.

Why does it fail our area? - Routes that are longer, with 3 hills and around 5 hazardous bends adversely affecting the infrastructure of over 177 properties is wrong. It ignores the existing parking problems in Lon Newydd and the worries of over 60 people who have signed a petition expressing serious concerns on safety, flooding and existing drainage problems. Holyhead Town Council has voted against this application on safety issues.

One of the biggest failures of this application is that it does not benefit people who will eventually live on this new 22 cul-de-sac development who will have to make longer journeys into and out of an existing problematic area with their vehicles. Traffic flow and delays are already common on Lon Newydd hill which will be further increased when the other new estate of 20 dwelling is completed. 50 extra vehicles doing 2 trips daily is 200 extra journeys on this route. Extra traffic does create extra risk with young children being the most vulnerable. Effective planning is listening to community concerns, not increasing them no communication; this has not happened which is evident with the objections raised.

When the shorter Waenfawr route became available this application was flawed along with any recommendations. This shorter, flat, wider, straighter and safer route is the preferred route by the Head of Highways who has given the applicant full assurances that the 'ransom strip' does not exist and that the road will be adopted after work is completed. It will bring in extra revenue with a full community rate return. It benefits everyone with a new road after 35 years of pot holes and neglect, especially the senior citizens who have mobility problems. It is better for the environment with fuel savings and with less problems in snow and icy conditions, unlike the hills of Pentrefelin and Lon Newydd.

The Council's legal duty and responsibility towards Nature Conservation is served under the N.E.R.C. Act 2006 by keeping the protected wildlife zone intact with no roadway dividing. A safer access point into South Stack Road is more suitable for future development.

It is a logical, legal and sensible decision to refuse this application. The community is totally opposed to this illogical routed application and has the full support of the local MP who has asked for a full review of all proceedings. It was the initial ransom strip demands that prevented the logical route being used and clarity is required for all parties.

Councillor Jeff Evans questioned where Mr. Edwards attained information regarding the safety, difficulties of the potential flooding and ascertained the effects on the environment, habitat and the wildlife in the area. Mr. Edwards responded that there are 'slow worms' in area and this was proven on the day of the Site Visit. Badgers can be seen regularly in the area, in the gardens of residents. The wildlife zone has been put there to protect them. He further stated that young children on bikes use the road near the area. Flooding issues relate to a stream in the area; heavy rain can flood the area even though attempts to rectify the issue have failed in the past.

Councillor K.P. Hughes questioned if Mr. Edwards was against the application or mainly the road to the site. Mr. Edwards responded that it is the illogical access route that the residents are concerned with.

The Chair invited Mrs. Jan Tyrer to address the meeting in support of the application. Mrs. Tyrer stated that this proposal for the development of 22 dwellings is in accord with its allocation for housing under proposal T8 in the adopted Ynys Môn Local Plan. Given that the Officer report provides a clear recommendation of approval she stated that she would only comment on 3 specific matters that have been raised by local objectors.

1. Access – the road access for the development remains via Pentrefelin as the only viable option. Discussions at both pre-application and post-application stages have been unable to satisfactorily resolve issues associated with an alternative vehicle access from Waunfawr Estate that certain objectors favour. Engineering consultants Richard Broun Associates have advised that using the 'All Wales Estate Development Highways Design Guide', Pentrefelin is classed as a 'Collector Cul-de-sac' with a capacity of 150 dwellings and Lon Newydd is a 'Collector Loop' with a capacity of 300 dwellings. Pentrefelin currently serves just 24 dwellings and Lon Newydd approximately 200, therefore an additional 22 dwellings will mean that the local road system is still operating well within its capacity limit. This fact is endorsed by the Council's own highways officers who have raised no objection to the development or its proposed means of access via Pentrefelin. Concerns raised by local objectors over the suitability of this access and the ability of the existing road system to cope with increased levels of traffic are therefore unfounded, and to refuse the application on this basis would be unreasonable.
2. Drainage: Porosity tests were undertaken on the site in accord with BRE 365. These showed that ground conditions on site would not support soakaway and that a different system of dealing with surface water needed to be worked out. Discussions with the Council's drainage department and Welsh Water were held resulting in an agreed drainage system design. This incorporates the use of rainwater harvesting for each dwelling and in built attenuation within the new pipework of the surface water drainage system for the development. Consequently concerns raised by local objectors over flooding etc., are also unfounded.
3. Ecology issues: These matters were also fully explored during the preparation of the planning application. As a result the proposal incorporates protection measures for an existing badger set, a landscaped buffer zone to create a natural transition between the built environment and the open countryside, and enhancement of the existing habitat on adjoining open land in the applicant's ownership. This will improve the foraging grounds for badgers, the nesting grounds for birds and allow for any translocation of slow worms etc. that may be necessary.

Councillor Jeff Evans questioned that Mrs. Tyler stated that the route to the site was only the viable option. He believed that the intent of the developer was to follow an alternative route. Councillor Evans questioned if the new route, as per the application, when it was determined following Council misinterpretation as to the original ransom route? Mrs. Tyler responded that as part of the pre-application research, both route options were considered. The history of the site is that Pentrefelin has always provided an access point for this land in previous applications as well as Waenfawr Estate road. Issues arose in respect of the 'ransom strip' as well as other issues relating to the works required to upgrade that road into adoptable standard and particularly dealing with surface water as there was no knowledge of the drainage issues within that road. The applicant is in a position where there is no assurance that they can achieve access through that route whereas Pentrefelin Estate road system gave no problems.

Councillor R.L.I. Jones, one of the Local Members stated that the local residents are concerned about the traffic that will be generated from the approval of this application. The roads are narrow in Pentrefelin and Lon Newydd. He stated that he considered that the application would not have been before the Committee if it was not for the mistake of the Highways Officer that there is a 'ransom strip' preventing the use of the Waenfawr Road as a better/preferred route to the site. Councillor Jones further stated that there are a number of issues that this application should be refused; wildlife habitat, slow worms exist on the site. He considered that the voice of the residence of Llaingoch should be listened to and that the applicant should reconsider the route to the site.

Councillor J. Arwel Roberts, one of the Local Members stated that traffic issues will be of concerns in respect of this application as the access to the site is not suitable. He considered that the best access route is through the Waenfawr Estate.

The Planning Development Manager reported that a copy of a letter had been received, addressed to the Chief Executive of the Council from Mr. Albert Owen MP expressing his concerns in respect of how this application had been dealt with and he had asked that the application should be reviewed. The Chief Executive's response to the Member of Parliament was that he considered that the application had been dealt with in the proper manner and would have to be dealt with under its own merits. The Member of Parliament had responded his disappointment with the response of the Chief Executive.

The Officer further stated that the application is within the development boundary of the statutory plan. 30% of the dwellings will be affordable housing. He considered that the main opposition locally to this application was the access to the site. The Senior Engineer (Development Control) stated that the Highways Authority has considered the application carefully, as with every other application, on its own merits. The roads leading to the site are of a standard width for such a development and there are traffic speed humps in the area. Snow and icy conditions are common to many roads such as these are not unique to this site. It is not a relevant consideration when assessing applications such as this as they are no different to other similar roads on the Island. The development is within the development boundary of the Development Plan. Professional Highway Officers are happy with the access to the site.

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

Councillor T.V. Hughes proposed that the application be refused. There was no seconder to his proposal.

Councillor R.O. Jones wished it to be recorded that he had not voted in respect of this application as he was not present at the site visit.

RESOLVED to approve the application in accordance with the Officer's recommendation, subject to a S106 agreement, as listed within the report.

7.2 34LPA121Q/CC – Installation of a biomass wood pellet boiler unit in connection with the new school to be erected on land at Ysgol Gyfun Llangejni, Llangejni

The application was reported to the Planning and Orders Committee as the County Council is the applicant and the landowner. At the meeting held on 5th June, 2013 it was resolved to visit the site in accordance with the Officers recommendation. The site visit took place on 19th June, 2013.

The item to be considered at the next meeting.

8 ECONOMIC APPLICATIONS

None considered at this meeting.

9 AFFORDABLE HOUSING APPLICATIONS

None considered at this meeting.

10 DEPARTURE APPLICATIONS

10.1 42C231 – Full application for the erection of 13 new dwellings together with creation of a new access on land at The Sidings, Pentraeth

The application is a departure from Local Plan Policy but can be permitted under the Unitary Development Plan.

The Chair invited Mr. Alan Foster to address the meeting in support of the application. Mr. Foster stated that the site is a brownfield site and the application is for detailed planning for 13 two bedroomed terrace houses based on the outline planning permission granted on 9th April, 2010. He stated that he acknowledge that there are some objections from the local residents, and because of this agreed to extend the official decision date from 23 May until today to give the Planning Officers sufficient time to consider their concerns. As well as information to satisfy Highways, Welsh Water and the Environment Agency he has provided :-

Full detailed surface water drainage design;
A risk assessment to Controlled Waters and Contamination Survey;
An ecological assessment

The objections therefore have been addressed, but there is one concern that was outside the planning officers remit. This concern by the residents of Helens Crescent and the use of the road by construction vehicles. Assurances has been given to the residents that should approval be obtained, although they have a right to use the road, it is not our intention to use it fro fully loaded wagons and heavy plant, the main works access would be from the A5025, any traffic along Helens Crescent would be kept to a minimum, also if there was any damage caused by activities then it would be repaired.

Finally, this application is for two bed starter units which will be affordable homes; every new home constructed creates 3 new jobs.

Councillor John Griffith questioned Mr. Foster as to what price did he consider appropriate for these affordable homes and how many of the houses will be affordable? Mr. Foster responded that the price of the affordable houses was considered by the appropriate Officer dealing with the application. He stated that the two first houses would be for sale for around £100k and thereafter £110k.

Mr J. Quinn, an objector to this application, was present at the meeting but declined the opportunity to comment on the application.

Councillor Ieuan Williams, one of the Local Members stated that residents of neighbouring properties have stated that part of the development land is not in the ownership of the developer and is taken up by a parking area. He also stated that the residents have stated that there is a covenant on the site which restricts development. Councillor Williams requested that the application be deferred until the legal and technical issues have been sorted.

Members of the Committee considered that as the Membership of the Planning and Orders Committee has changed considerably since the last local elections, it would be advantageous to visit the site before determination of the application.

Councillor J. Griffith proposed that the site be visited and Councillor A. Griffith seconded the proposal.

It was RESOLVED that consideration of the application be deferred to allow a site visit to be undertaken.

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

None considered at this meeting.

12 REMAINDER OF APPLICATIONS

12.1 21C84E – Full application for the erection of a dwelling and the construction of a new vehicular access on land adjacent to Drogan, Llanddaniel

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

The Planning Development Manager reported that a response has been received from the Llanddaniel Fab Community Council yesterday. He stated that the Community Council stated that they did not object to the application providing the applicant uses the present access to the site. The Community Council considered that the road near the site is dangerous. The Officer stated that the application includes a new vehicular access to the highway and therefore he considered that the Community Council would object to the application. However, the Highways Authority is satisfied with a new access to the site.

He further noted that the application site is located outside the settlement boundary under the Unitary Development Plan (Policy HP4) and directly adjoining, but further out of the village than the site where an application for a dwelling was refused on 20th October, 2008. That application proceeded to appeal where it was dismissed for the reasons set out in the Inspector's decision letter of 21st July, 2009.

The Officer stated that the Planning Officers sympathise with the needs of the applicants, however as professional Officers they have to be aware of planning policies.

Councillor T. Victor Hughes, as one of the Local Members, stated that there is medical evidence in respect of this application that the applicant will need intense medical care in the future. The applicant wishes to build a home for her needs and to be near family members. He referred to Section 3.1.8 of Planning Policy Wales and summarised that personal circumstances can be considered to grant planning permission.

Councillor K.P. Hughes whilst sympathising with the medical needs of the applicant, he was not happy with approving the application due to personal circumstances and proposed that the application be refused. Councillor Lewis Davies seconded the proposal.

RESOLVED to refuse the application in accordance with the Officer's recommendation.

12.2 33LPA981/CC – Full application of demolition of existing flat roof together with alterations and extensions at Fron Capel, Gaerwen

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

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

RESOLVED to approve the application in accordance with the Officer's recommendation.

12.3 45C429/AD – Application for the siting of 4 interpretation panels on land at Ynys Llanddwyn

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

The Planning Development Officer reported that a letter from the Community Council has now been received stating no objection to the application. Consultation has been undertaken with the Countryside Officers of the Council to ascertain if such interpretation panels are acceptable within this location.

Councillor Lewis Davies proposed that the application be approved and Councillor R.O. Jones seconded the proposal.

RESOLVED to approve the application in accordance with the Officer's recommendation.

13 OTHER MATTERS

13.1 38C185C – Full application for the erection of one wind turbine with a maximum hub height of up to 24.6m, rotor diameter of up to 19.2m and a maximum upright vertical tip height of up to 34.2m on land at Maes Mawr, Llanfechell

Councillor K.P. Hughes having declared an interest in this application withdrew from the meeting during the discussion and voting thereon.

Councillors Lewis Davies, Ann Griffith, John Griffith, Vaughan Hughes and Nicola Roberts declared a personal interest on the basis that the Plaid Cymru manifesto contained points with reference to wind turbines. The Members stated that they would consider each application on its planning merits.

The application was originally reported to the Committee as it has been decided that delegated powers will not be used in connection with wind turbine developments. The applicant was at the time also a Councillor of the Isle of Anglesey Council. The application was scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

The Planning Development Officer stated that an appeal has been lodged with the Planning Inspectorate. The Committee is requested to state the Council's stance in this appeal.

Members of the Committee considered that as the Membership of the Planning and Orders Committee has changed considerably since the last local elections, it would be advantages to visit the site before determination of the application. The Committee wanted to assess the landscape surrounding the application site and the distance of dwellings from the proposal under the provisions of the SPG.

Councillor J. Griffith proposed that the site be visited and Councillor A. Griffith seconded the proposal.

It was RESOLVED that the site be visited to afford the Committee to view the site.

**COUNCILLOR W.T. HUGHES
CHAIR**