

Planning and Orders Committee

Minutes of the meeting held on 26 April 2017

- PRESENT:** Councillor Ann Griffith (Chair)
Councillor Richard Owain Jones (Vice-Chair)
- Councillors Lewis Davies, Jeff Evans, John Griffith, Kenneth Hughes, W.T.Hughes, Vaughan Hughes, Victor Hughes, Nicola Roberts
- IN ATTENDANCE:** Planning Development Manager (NJ)
Planning Development Team Leader (MD) (for applications 7.1 and 8.1)
Senior Planning Officer (Minerals & Waste) (RWW) (for application 7.4)
Planning Assistants
Highways Officer (JAR)
Committee Officer (ATH)
- Legal Officer (Mr Alan Evans, Barrister)
- APOLOGIES:** None received
- ALSO PRESENT:** Councillor Dylan Rees (for application 7.5), Councillor Llinos Medi Huws (for applications 7.3, 7.6 and 7.7), Councillor Richard Dew (Portfolio Member for Planning)
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1 APOLOGIES

There were no apologies for absence.

2 DECLARATION OF INTEREST

Councillor W.T.Hughes and Councillor Richard Owain Jones both declared a personal and prejudicial interest with regard to application 6.1 on the agenda.

As this was her last meeting as Chair of the Planning and Orders Committee, Councillor Ann Griffith took the opportunity to thank all the Officers who had variously provided support to herself and the Committee during her term as Chair. She also expressed appreciation.

3 MINUTES

The minutes of the previous meeting of the Planning and Orders Committee held on 5th April, 2017 were presented and confirmed as correct.

4 SITE VISITS

The minutes of the Planning site visit undertaken on 19th April, 2017 were presented and confirmed as correct.

5 PUBLIC SPEAKING

The Chair announced that Public Speakers were registered to speak in relation to applications 7.5 and 12.2.

6 APPLICATIONS THAT WILL BE DEFERRED

6.1 20C310B/EIA/RE – Full application for the construction of a 49.99MW solar array farm together with associated equipment, infrastructure and ancillary works on land adjacent to Rhyd y Groes, Rhosgoch

Having declared a personal and prejudicial interest in this application, Councillors W.T. Hughes and Richard Owain Jones withdrew from the meeting during the determination thereof.

The Planning Development Manager reported that national guidance advises that the reporting, consideration and determination of contentious matters should be avoided during an election period. As the election period ahead of the May local government elections commenced on 21 March, 2017 and as this application can be regarded as a contentious and unusual application, it is recommended that further consideration of the application be deferred until after the election.

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

7 APPLICATIONS ARISING

7.1 12C49P/DEL – Application under Section 73 for the removal of condition (09) (occupiers age restriction) from planning permission reference 12C49M/VAR (erection of 35 flats) at Casita, Beaumaris

The application was originally presented to the Planning and Orders Committee at the request of a Local Member. At its meeting held on 5th April, 2017, the Committee resolved to refuse the application contrary to the Officer's recommendation. The application is re-presented to the Committee following the required one month "cooling off" period.

The Planning Development Team Leader reported that the application was refused at the Committee's April 2017 meeting because it was deemed the proposal does not address the needs of the local area, there being a need for housing of this type that caters for the needs of older people. The Officer's further written report addresses the reason given by the Committee for refusing the application. In addition, correspondence has been received from the applicant's agent stating that since the housing market crash of 2008, potential buyers have been unwilling to purchase properties with any kind of restrictions because of the implications for re-sale thereby putting in question the viability of the project. The condition also has to meet the test of planning legislation in relation to it being necessary, enforceable and precise; it has to be shown that there is reason on planning grounds for imposing an occupancy restriction. The Officer said that consultation with the Housing Department confirms that there is no real local need for this type of housing with an over 55s condition.

Councillor Lewis Davies proposed that the site be visited on the grounds that this is not a typical development.

The Planning Development Team Leader said that a site visit is unlikely to be of assistance to the Committee as this is not a new proposal but an application to discharge a specific condition on planning consent already given for the erection of 35 residential flats. The Legal Officer endorsed the Officer's comment and advised that a site visit would not be helpful in this instance. Councillor Lewis Davies subsequently withdrew his proposal for a site visit.

Those Members who were opposed to the application made reference to there being a sizeable over 55 population in the area, and they were concerned that without the occupancy restriction the site could potentially be developed in a very different way to that originally envisaged with the units unlikely to be affordable to the local population. The application site is in a highly attractive area and carries great potential which the developer might be seeking to exploit. It was also pointed out that the housing market has improved from the 2008 downturn with Anglesey being a growth area in terms of property prices.

The Planning Development Team Leader said that consideration needs to be given to whether there is a sound planning reason for retaining the over 55s restriction. The site is within the settlement boundary for Beaumaris as identified in the Stopped Unitary Development Plan. This being the case the principle of development is accepted. Nowhere in Development Plan policies is there reference to restricting acceptable residential development to persons of a certain age. This being the case there is no planning requirement to impose such a condition.

Councillor Lewis Davies proposed that the Committee's previous decision to refuse the application be reaffirmed and the proposal was seconded by Councillor Jeff Evans. Councillor Richard Owain Jones proposed that the application be approved in line with the Officer's recommendation and the proposal was seconded by Councillor Nicola Roberts. In the subsequent vote, the proposal to reaffirm refusal was carried by five votes to three with Councillor John Griffith abstaining.

It was resolved to reaffirm the Committee's previous decision to refuse the application contrary to the Officer's recommendation.

7.2 15C30H/FR – Full application for change of use of agricultural land to extend the existing caravan park to site a further 14 touring caravans together with the installation of a septic tank on land at Pen y Bont Farm Touring & Camping, Malltraeth

The application was presented to the Planning and Orders Committee at the request of the Local Member. At its meeting held on 2nd November, 2016, the Committee determined that a site visit should take place. This was undertaken on the 16th November, 2016. At its 7th December, 2016 meeting, the Committee resolved to approve the application contrary to the Officer's recommendation.

Councillor Ann Griffith stood down as Chair for the consideration and determination of this application in order to speak as a Local Member. The item was chaired by the Vice-Chair, Councillor Richard Owain Jones.

The Planning Development Manager reported that the Committee was advised at its 4th January, 2017, meeting that the Welsh Government had issued a holding direction on the application whilst it considered whether the application should be called in for determination by Welsh Ministers. The Committee was informed that it was open to it to either defer the application or to refuse it in accordance with the Officer's recommendation. The Committee resolved to defer the application pending a decision by Welsh Government Ministers on calling in the application. The matter was again deferred by the Committee at its meetings

held in February, March and on 5th April for the same reason. The Officer said that confirmation has now been received in a letter from the Welsh Government dated 19th April, 2017 that the Cabinet Secretary has directed that the application shall be determined by the Welsh Ministers for the reasons given in the aforementioned correspondence which she read out to the Committee. This will entail a public inquiry following which Welsh Ministers will come to a decision on the application. The Committee is asked to come to an opinion on the application in light of the contents of the letter by Welsh Government and to decide whether it would have approved the application in which case two of the Committee's Members will be required to present the Committee's reasons to the Public Inquiry, or whether it would have refused the application in accordance with the Officer's recommendation.

Councillors Peter Rogers and Ann Griffith both spoke as Local Members to the effect that the application is for short season touring caravans only and not static caravans; the actual application site has not flooded previously; notwithstanding it is situated in a Site of Special Scientific Interest, the SSSI is a vast area and is well looked after with the co-operation of landowners and will not be detrimentally affected by the proposal; the applicant is seeking to diversify to ensure that the farm remains viable; the applicant has not undertaken a Flood Consequence Assessment because of the costs; approving the application will help the business become more sustainable for the future. They emphasised the value of local knowledge in this case.

The Committee was divided in its view of the application. Some Members thought that TAN 15 which deals with development and flood risk applies more to sites close to rivers where the flood risk is greater than with sites such as the application site where the stream rarely rises to the level of the land; moreover, if the landowner has arrangements for contacting caravanners on site then the situation is not as severe as that conveyed by the written report. There is a caravan park on site already. Also, the conditions with regard to flood risk in relation to businesses are different to those that apply to residential developments. Other Members pointed out that the site is situated within a C1 Flood Zone and that details provided by Natural Resources Wales during the consultation process are that flood maps confirm that the site lies within the extreme flood outline. They took the view that the expert opinion should have precedence over local knowledge.

Those Members who were minded to approve the application suggested that the applicant be given a further opportunity to submit a Flood Consequence Assessment.

The Planning Development Team Leader said that the Welsh Government's schedule is unlikely to allow time to go back to the applicant for a Flood Consequence Assessment. Planning policies are clear that where developments are proposed in Zone C and comply with the test in Section 6 of TAN 15, a Flood Consequence Assessment is required and this is corroborated in the correspondence by the Welsh Government. This is a technical assessment which goes over and above local knowledge and the applicant has had the opportunity to provide the assessment. Moreover caravan parks, although they operate as a business are classified by TAN 15 as highly vulnerable development because of their residential element.

Councillor Jeff Evans proposed that the Committee approve the application contrary to the Officer's recommendation and the proposal was seconded by Councillor Kenneth Hughes. Councillor Nicola Roberts proposed that the Committee refuse the application in line with the Officer's recommendation and the proposal was seconded by Councillor Lewis Davies. In the subsequent vote, Councillors Lewis Davies, John Griffith, Vaughan Hughes and Nicola Roberts voted to refuse the application; Councillors Jeff Evans, Kenneth Hughes, Victor Hughes and W.T. Hughes voted to approve the application. **The application was refused on the casting vote of the Chair.**

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

7.3 18C225B – Full application for the erection of a dwelling, the creation of an access together with the installation of a package treatment plant on land adjacent to Bron Castell, Llanfairynghornwy.

The application was presented to the Planning and Orders Committee at the request of a Local Member. At its meeting on 1st March, 2017, the Committee decided to carry out a site visit which duly took place on 15th March, 2017. At its 5th April, 2017 meeting, the Committee resolved to approve the application contrary to the Officer's recommendation because it deemed the proposal to be in an infill site forming part of the built up form of the village which would not cause harm to the landscape.

The Planning Development Manager said that the Officer's further report addresses the reason given by the Committee for approving the application contrary to the Officer's recommendation and refers to two appeals in the same area involving proposals which raise similar issues to the application which the Inspector dismissed on the basis that they were intrusive within the landscape to the detriment of the character, appearance and natural beauty of the AONB. Due to this and because it is not considered that the development is an acceptable infill development the Officer's recommendation remains one of refusal.

Councillor Llinos Medi Huws, a Local Member reiterated her view expressed at the previous meeting that the proposal is an infill development with dwellings either side of the application plot. The Community Council supports the application and the proposals cited in the Officer's report which have been the subject of appeals do differ to the application presented.

Councillor Kenneth Hughes agreed with the Local Member and proposed that the Committee's previous decision to approve the application be reaffirmed. The proposal was seconded by Councillor W.T. Hughes.

It was resolved to reaffirm the Committee's previous decision to approve the application contrary to the Officer's recommendation.

7.4 33C190Q/VAR – Application under Section 73 to vary condition (03) of planning permission reference 33C190 (Review of planning conditions in accordance with The Environment Act 1995) so as to allow the use of the original access at Bwlch Gwyn Quarry, Gaerwen

The application was presented to the Planning and Orders Committee at the request of a Local Member. At its meeting held on 5th April, 2017, the Committee resolved to visit the site. The site visit took place on 19th April, 2017.

The Senior Planning Officer (Minerals & Waste) reported that the proposed development has been part of the formal "pre-application" process where the attention of the applicant was drawn to issues in relation to the original entrance (which is the subject of the current application) and the highway as well as the proximity of the residential property known as Graig Fawr. Following the "pre-application" information and as part of the formal application process, the applicant is proposing to undertake improvements to the road and entrance in order to make them suitable for quarry traffic purposes and has submitted relevant plans in support of the application. The Community Council objects to the proposal on the grounds of welfare and health and safety and 17 other letters of objection have been received the

substance of which is conveyed in the written report. The representations made have been considered and addressed fully within the written report. The Officer concludes that the application does meet the requirements of local and national policies as listed in the report and subject to the conditions within the report as well as the original conditions of planning permission 33C190 updated as required, it is recommended that it be approved.

Councillor Victor Hughes, as a Local Member referred to concerns which the Community Council has about the adequacy of the road from the village itself with the narrow bridge crossing the A55, and also its wish to see heavy quarry traffic being diverted away from the village to the main road via the lower road in the direction of Pentre Berw. Councillor Hughes asked whether the road improvement works could be subject to a Grampian condition to ensure they are implemented before use of the entrance can begin.

The Officer confirmed that condition (07) satisfies this requirement. The applicant has of his own volition in the Traffic Management Plan proposed that quarry traffic leaves the A55 at the Llangefni junction and works back to Pentre Berw and the quarry that way. In addition following discussions, the applicant and the Minerals and Waste Planning Service are willing to commit to the convening of quarterly or biannual meetings of a Quarry Liaison Group with representation from the County and Community Councils to discuss any proposals relating to the quarry; this would be done on a voluntary basis rather than through a planning condition and is common practice in several quarry sites across North Wales. Conditions on the planning consent for the quarry itself require that a report on the quarry's management be produced every 3 years and the Liaison Group could be incorporated within this provision.

The Committee sought clarification of the road improvement works proposed and whether the road will be widened sufficiently to allow two lorries to pass each other.

The Highways Officer confirmed that improvements to the road meet with the requirements of the Highways Authority. The road from the current entrance to the original entrance has been surveyed and will be widened along its length to meet the minimum requirement set by the Highways Authority.

Councillor Kenneth Hughes proposed that the application be approved and the proposal was seconded by Councillor W.T. Hughes.

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

7.5 34C304K/1/EIA/ECON – Hybrid application applying for full planning permission for the creation of a new engineering centre, car parking, children's play area and associated works and applying for outline planning permission with some matters reserved for a residential development of 153 dwellings, a hotel and food and beverage facility along with associated car parking and works on land at Coleg Menai, Ffordd y Coleg, Llangefni

The application was presented to the Planning and Orders Committee as it is the subject of an Environmental Impact Assessment and the proposals represent a departure from Development Plan policies for which the recommendation is one of approval.

Councillor W.T. Hughes questioned whether it was appropriate for the Committee to be considering this application in the pre-election period given that it is a substantial and a significant application.

The Planning Development Manager said that it is open to the Council to continue dealing with normal business during the pre-election period; regardless of its size which is not a factor, the application in question is not considered unusual or contentious and is therefore not captured by the pre-election protocol.

Several of the Committee's Members shared Councillor W.T. Hughes's doubts about the propriety of considering the application at this time. Councillor Lewis Davies said that application 6.1 on the agenda had been recommended for deferral for the very same reason and he believed this application should also be deferred on account of its magnitude and significance. Councillor Nicola Roberts although she was reluctant to defer determining the application referred to the Pre-Election Protocol which advises that "during the election period, the Council needs to ensure it remains impartial. The Council must not use or give the impression of using public money to promote one candidate/political party or its/their policies over another." She believed that the application fell into this category, is contentious and that determining it would open the door to giving one political group advantage over another. She said she had been unable to respond by way of giving an opinion to questions posed by the electorate on the application because she is a member of the Committee and because of the stipulations of the Protocol.

The Planning Development Manager said that application 6.1 was deferred because it is considered unusual as the proposal is for one of the largest solar array farm in Wales; the application in question although large, is relatively straightforward and, following discussions including with the Chief Executive, is considered to be a matter of "business as usual for the Council."

Councillor Nicola Roberts proposed that the application be deferred and the proposal was seconded by Councillor W.T. Hughes. Councillor Victor Hughes proposed that the application be dealt with and the proposal was seconded by Councillor Richard Owain Jones. In the ensuing vote the proposal to defer the application was carried by five votes to three.

It was resolved to defer the application because the Committee deemed it to be contentious and unusual and therefore inappropriate to be determined during the pre-Election period.

7.6 47C153 – Outline application for the erection of a dwelling with full details of the vehicular access together with the extension of the existing cemetery on land opposite Plas Newydd, Llanddeusant

The application was presented to the Planning and Orders Committee as it was called in by a Local Member. At its meeting held on 1 March, 2017 the Committee determined to undertake a site visit; the site was visited on 15 March, 2017. At its April meeting the Committee resolved to approve the application contrary to the Officer's recommendation on the basis it deemed the proposal to constitute a minor extension to the existing developed part of the village which did not cause harm to the landscape.

The Planning Development Manager reported that the Officer's further written report maintains that the proposed development would form an intrusion into the open character and unspoilt field in Llanddeusant; the village currently has a physical boundary beyond which the application site lies thereby contravening planning policies. The Officer in his report also refers to similar applications across Anglesey wherein the Planning Inspectorate in considering appeals has upheld the Local Planning Authority's viewpoint.

Councillor Llinos Medi Huws, a Local Member said that there is a local and proven need for this development. The Joint Local Development Plan will shortly be implemented meaning

there will be not further development in the village where Llanddeusant will be designated a cluster. The policies give young people the chance to live within their communities and to promote the Welsh language.

Councillor W.T. Hughes proposed that the Committee's previous decision to approve the application be reaffirmed and the proposal was seconded by Councillor Kenneth Hughes.

Councillor Lewis Davies asked whether it would be possible to impose a condition so that the field wherein lies the application site cannot be developed further. The Planning Development Manager said that that was not an appropriate use of planning conditions and that further development can only be prevented by refusing the application.

The majority of the Committee's Members deemed the proposal acceptable for the reason previously given.

It was resolved to reaffirm the Committee's previous decision to approve the application contrary to the Officer's recommendation. *(Councillors Lewis Davies and Victor Hughes abstained from voting)*

7.7 47C154 – Outline application for the erection of a dwelling together with full details of the new vehicular access on land opposite Plas Newydd, Llanddeusant

The application was presented to the Planning and Orders Committee as it was called in by a Local Member. At its meeting held on 1 March, 2017 the Committee determined to undertake a site visit; the site was visited on 15 March, 2017. At its April meeting the Committee resolved to approve the application contrary to the Officer's recommendation on the basis it deemed the proposal to constitute a minor extension to the existing developed part of the village which did not cause harm to the landscape.

Councillor Kenneth Hughes proposed that the Committee's previous decision to approve the application be reaffirmed and the proposal was seconded by Councillor W.T. Hughes.

It was resolved to reaffirm the Committee's previous decision to approve the application contrary to the Officer's recommendation.

8 ECONOMIC APPLICATIONS

8.1 34C705/ECON – Full application for the demolition of the existing school, erection of a new supermarket, improvements to the existing access together with associated works at former Ysgol y Graig, Llangefni

The application was presented to the Planning and Orders Committee as the development involves Council owned land.

The Planning Development Team Leader reported that the application has been subject to the new pre-submission publicity process whereby public consultation has been held before the application was submitted to the Planning Service; three letters of support and one letter of objection have subsequently been received. The proposed new unit is considerably larger in scale than the existing retail unit; the applicant has undertaken a sequential test as required by both plan policy and Planning Policy Wales including considering the option of demolishing the existing store and redeveloping the existing site. However, due to the limitations of the current site as regards its capacity to deliver a larger store and the unsuitability of other sites in terms of the required criteria for the applicant's business model, the application site is the sequentially preferable location to deliver the

replacement store. The Officer said that the report also shows that in terms of capacity, the proposal would not harm the vitality or viability of stores within the existing town centre.

The Committee was amenable to the proposal subject to confirming the retention and accessibility of the existing footpath from Tan Capel Estate through both rear fields and the old school site down to the industrial estate; regulating the hours of construction work to avert noise nuisance there having been complaints locally regarding work on the adjacent extra care facility, and subject also to confirmation that any shrubs and trees planted shall be maintained for a period of 10 rather than 5 years. The Officer said that the issue and status of the footpath can be looked into; a construction and environment management plan will be implemented to deal with traffic, noise and pollution etc. with a standard that on site work will not commence before 8:00 a.m. With regard to maintaining trees and shrubs planted as part of a landscaping scheme, the Officer said that the standard maintenance period as advised by the Tree and Landscape Officer is 5 years; however consideration can be given to extending that time period.

The Committee noted its disappointment that there were no community benefits deriving from the scheme.

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

9 AFFORDABLE HOUSING APPLICATIONS

None considered by this meeting of the Planning and Orders Committee.

10 DEPARTURE APPLICATIONS

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

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

11.1 13C194 – Outline application for the erection of three affordable dwellings which includes details of access, appearance, layout and scale on land opposite Llwyn Llinos, Bodedern

The application was presented to the Planning and Orders Committee as the applicant is related to a relevant officer. The application file and report have been reviewed by the Monitoring Officer as required by the Council's Constitution.

The Planning Development Manager reported that the original outline application with all matters reserved was for the development of three houses as an exception site for affordable housing. The amended application proposes three bungalows on part of a field enclosure filling a gap between the existing cemetery and the adjoining bungalow at Rhoslyn. Three letters of objection were received in relation to the originally submitted proposal; no additional representations have been received since the re-issuing of publicity on receipt of the amended details. The Housing Service has confirmed the need for three two bedroom bungalows in Bodedern and the scheme reflects this need in terms of design and affordability. The Highways Authority recommends conditional approval including the provision of a pavement along the frontage of the site. The scheme is considered acceptable in policy terms and is recommended for approval subject to the receipt of satisfactory drainage details and a Section 106 agreement to secure the dwellings as affordable dwellings in perpetuity.

The Committee sought clarification of whether a traffic survey had been conducted as this area of the village is considered to be a very busy area. The Highways Officer confirmed that whilst no traffic survey has been carried out, the Highways Authority has insisted on the highest possible standards in relation to speed limits with which the proposal complies. Highway Officers are now also satisfied with the level of visibility with the original access having been moved to provide a 90m visibility splay in both directions.

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

It was resolved to approve the application in accordance with the Officer's recommendation subject to the conditions listed in the written report and the receipt of satisfactory drainage details and also, a Section 106 agreement to secure the dwellings as affordable dwellings in perpetuity.

12 REMAINDER OF APPLICATIONS

12.1 12LPA1032/CC – Full application for the external refurbishment of the dwellings, creation of a new vehicular access together with the creation of a parking area within the site at 1-17 Bryn Tirion, Beaumaris

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

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

12.2 12C479B – Full application for the erection of a dwelling on the former garden market land to the rear of Rose Hill, Beaumaris

The application was presented to the Planning and Orders Committee at the request of a Local Member.

Councillor Alwyn Rowlands, a Local Member asked the Committee to undertake a site visit so that Members can better appreciate the proposed development within its setting and assess any potential impact that might result therefrom in what is an Area of Outstanding Natural Beauty.

Councillor Lewis Davies proposed that the Committee visit the application site and the proposal was seconded by Councillor Nicola Roberts.

It was resolved to visit the site in accordance with the Local Member's request for the reason given.

12.3 19C98D – Full application for the installation of a dormer window together with alterations to the shop front and the erection of a 6m high pole to relocate the CCTV at 2 Stanley Street, Holyhead

The application was presented to the Planning and Orders Committee as part of it is on land owned by the Local Authority.

Councillor Kenneth Hughes proposed that the application be approved and the proposal was seconded by Councillor Jeff Evans.

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

12.4 45C480 – Outline application for the erection of a dwelling with all matters reserved on land to the rear of Morannedd, Chapel Street, Newborough

The application was presented to the Planning and Orders Committee at the request of the Local Member.

Councillor Ann Griffith stood down as Chair for the consideration and determination of the application in order to speak as a Local Member. Councillor Richard Owain Jones, Vice-Chair took the Chair for the item.

The Planning Development Manager reported that whilst the proposed dwelling lies within the settlement boundary of Newborough the means of access to the site lies outside the development boundary. The Officer said that although the principle of residential development is acceptable under planning policies, it is considered that due to the separation distances involved, the proposal will have an impact on the amenities currently enjoyed by the occupants of the neighbouring properties by way of overlooking. The Officer in his report concludes that the proposal would result in insensitive infilling which would be out of character with the surrounding area in a way that is contrary to policy. The recommendation is therefore to refuse the application.

Councillor Peter Rogers, speaking as a Local Member said that this is an application by a widow wishing to downsize and retire and is deserving of support. No objections have been made and the proposal is on a site which was previously the location for 5 cottages constructed many years ago for workers on the Malltraeth Viaduct scheme; the site is therefore not a green field site. The proposal would not be out of character and efforts will be made to ensure the design is sensitive to its surroundings. The proposal is within the development boundary of Newborough so is policy compliant.

Councillor Ann Griffith speaking as a Local Member, said that she was giving a voice to the applicant who was unable to be present to address the meeting. She echoed the sentiments of her fellow Local Member and added that the proposal would not be detrimental to the amenities of the occupiers of neighbouring dwellings since there is some overlooking already. Neither does the proposal extend the boundary of the village of Newborough.

The Committee sought clarification of the extent of the overlooking and its application particularly in relation to gardens.

The Planning Development Manager clarified that design guidelines stipulate what are acceptable separation distances in relation to dwellings, gardens and boundaries – the proposed development lies within 2m of the boundary of the next door property's garden and is therefore considered to be unacceptably close in a way that would detrimentally affect the amenities of the said property's occupants and their enjoyment of their garden. The fact that there is existing overlooking does not justify further overlooking that will exacerbate the situation.

Councillor Vaughan Hughes proposed that the site be visited on the basis that the acceptability or otherwise of overlooking is a subjective judgement and Members should assess the site for themselves. The proposal for a site visit was not supported in the vote that ensued.

Councillor Kenneth Hughes proposed that the application be approved contrary to the Officer's recommendation on the basis that there have been dwellings on the site previously, there is no local opposition to the proposal and because he believed it to be in keeping with policy. The proposal was seconded by Councillor Jeff Evans.

Councillor Victor Hughes proposed that the application be refused in accordance with the Officer's recommendation because he thought it represents insensitive infilling; the proposal was seconded by Councillor Lewis Davies who had concerns regarding the potential for further development should the application be approved.

In the subsequent vote, Councillors Lewis Davies, John Griffith, Richard Owain Jones and Victor Hughes voted to refuse the application; Councillors Jeff Evans, Kenneth Hughes, Vaughan Hughes, W.T. Hughes and Nicola Roberts voted to approve the application contrary to the Officer's recommendation because they deemed the proposal to be justified under Policy 49 of the Ynys Môn Local Plan and Policy HP3 of the Stopped Unitary Development Plan and an acceptable infill application.

It was resolved to approve the application contrary to the Officer's recommendation for the reasons given.

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

12.5 46C254B – Outline application for demolition of the existing dwelling together with the erection of two new dwellings with full details of the access at Ael y Bryn, Lôn Penrhyngarw, Trearddur Bay

Application withdrawn.

13 OTHER MATTERS

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

**Councillor Ann Griffith
Chair**