

Planning and Orders Committee

Minutes of the virtual meeting held on 3 March 2021

- PRESENT:** Councillor Nicola Roberts (Chair)
Councillor Richard Owain Jones (Vice-Chair)
- Councillors John Griffith, Glyn Haynes, T LI Hughes MBE,
K P Hughes, Vaughan Hughes, Eric Wyn Jones, Dafydd Roberts
and Robin Williams.
- Councillor Richard A Dew – Portfolio Holder – Planning.
- IN ATTENDANCE:** Development Management Manager (NJ),
Planning Officer (CR),
Senior Engineer (Highways Development Control)(EJ),
Legal Service Manager (RJ),
Committee Officer (MEH)
- APOLOGIES:** None
- ALSO PRESENT:** Local Members: Councillors Dafydd R Thomas (application
7.1); Margaret M Roberts and Ieuan Williams (application 7.2);
R Meirion Jones (application 7.3); Llinos M Huws (application
11.1); Alun Roberts (application 12.3).
- Councillors Bryan Owen and Bob Parry OBE FRAGS.
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1 APOLOGIES

None received.

2 DECLARATION OF INTEREST

Councillor John Griffith declared a personal interest in applications 6.1 and 11.1.

3 MINUTES

The minutes of the previous virtual meeting of the Planning and Orders Committee held on 10 February, 2021 were confirmed subject to the amendment at Page 5 – application 7.2 – Councillor K P Hughes referred The Joint Local Development Plan has been adopted by this Council and opportunities to review the plan will not be possible for a number of years ...’:-

- To delete the wording ‘..... number of years’
- To include ‘..... as far as making changes to the plan we have not reached the stage to do so’.

4 SITE VISITS

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

5 PUBLIC SPEAKING

There were public speakers in respect of applications 7.1 and 12.3.

6 APPLICATIONS THAT WILL BE DEFERRED

6.1 FPL/2020/247 – Full application for the erection of 9 dwellings together with associated works on land adjacent to Y Bryn Estate, Llanfaethlu

The application was presented to the Planning and Orders Committee at the request of a local member.

Having declared a personal interest in this application Councillor John Griffith did not take part in the discussion nor voting thereon.

The Development Management Manager reported on the location and nature of the application and it was recommend that the application site be visited.

It was RESOLVED to visit the site in accordance with the recommendation within the Officer's report.

7 APPLICATIONS ARISING

7.1 FPL/2020/195 – Full application for alterations and extensions including decked area, associated works and mitigation measures at Sea Shanty Café, Lon St. Ffraid, Trearddur Bay

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

Public Speaker

Mr Philip Brown (applicant) said that extending outdoor area three meters west is the slightly contentious element of the proposal. He noted that he would focus on that and hopefully reassure the Committee:-

1. The area of deck extension is modest and logical, it is more of a completion than an extension. It returns to us some (but by no means all) of the capacity we have lost through distancing tables.
2. The incursion into the sand dune is so small as to be technical rather than physical. Only 2.8 cubic meters of soily sand will need to be removed by hand and will be relocated on the eroded side of the dune.
3. The construction is made entirely of unpainted wood. No concrete or masonry of any kind is involved thus allowing unpolluted reversal of the scheme at any time.

4. The new area will allow five new tables of four, and one new table of six. A modest but very helpful addition to the facilities we offer and a pleasurable and sheltered new place for our customers to sit in safety.
5. The scheme will utilise a three meter strip of land currently unused and unkempt. It will turn a dead end service access path into a tidy outdoor area tastefully fitting into its environment. Our existing building demonstrates our expertise in this regard.
6. Lastly may we reassure you that this is NOT a 'foot in the door'. We will not return to you in a few years' time looking for another three meters. To do so would be inappropriate in every respect. Nobody understands this more than me.

We do not have to tell you how badly our industry and our country has been devastated by Covid. Since March last year, the Sea Shanty traded for only seven weeks. We have borrowed extensively to remain afloat and will have to endure closure for much longer than originally expected. None of our 71 staff have been made redundant and with your help, none will be. These proposals will assist us to repay loans, retain jobs, in our small way help to rebuild the local economy and restore the depleted public coffers. The scheme benefits everybody and for these reasons, we ask for, and believe we merit, your approval for this most logical and modest economic development scheme.

The Development Management Manager reported that the applications is an extension to the café and the provision of a decked area which will extend to sand dunes nearby. The application is to provide additional outside seating areas to meet social distancing requirements due to the current pandemic so as to preserve the business and mitigate revenue loss. She said that the area is within a C2 flood risk area and with regard to TAN 15 policy tests, the development does not conform to all the required criteria. There are a number of local objections to the applications as regards to the loss of sand dunes together with concerns as regarding to flood risks. She noted that further letters of support have been received in respect of the application. The Development Management Manager further reported that the application was deferred at the last meeting of this Committee on ecological grounds, mitigation issues and the potential impact on lizards. The application will entail the loss of some of the sand dunes. She noted that discussions have taken place with the developer as regards to the development and full mitigation measures and ecological plan has been received and is acceptable to the statutory consultees. There is a statutory duty to protect and enhance local biodiversity and discussions have taken place to meet these ecological considerations. An updated addendum to the ecological report includes monitoring and enhancement measures in respect of sand dunes adjacent to the development which have also been included within the red line area of the application site which include the movement of sand and growth from within the decking area to improve the environment. There is an intention to erect a fence to control public access to the dunes as there are currently paths through the dunes that damages the habitat. The Development Management Manager gave an update to the Officer's report that confirmation has been received that the applicant is the owner of the adjoining property and therefore condition 3 within the report will

not be required. As there is no objection by NRW as regards to flood risks and ecological matter the recommendation is of approval of the application. However, the statutory consultation as regards to the amended ownership certificate, an addendum Flood Consequences Assessment and a Welsh Language Statement does not come to an end until 11 March, 2021 and she requested that the Officers be afforded power to act following the statutory consultation period.

Councillor Dafydd R Thomas, a local member said that the Trearddur Community Council has concerns and are objecting the application. He noted that the statutory consultees are in support of the application and that there will be no environmental damage to the dunes and the habitat of the lizards. Flooding is a concern in the Trearddur Bay area and a meeting was arranged between the Trearddur Community Council and the County Council and it is hoped that a meeting can be arranged with NRW in the future. Traffic issues are a concern in the area when deliveries are made to nearby shops and the café. Councillor Thomas expressed that the Welsh language needs to be enhanced at the café with regard to the menus, signage and their website. He noted that he supported the application.

Councillor John Griffith referred that the report states that the Ecological and Environmental Officer had concerns as to the loss of sand dunes and the potential effect on lizards. He also questioned whether NRW are in support of the application. The Development Management Manager responded that NRW and the Drainage Section have not submitted objections as only a minor part of sand dunes is to be removed and will not have a detrimental effect on flooding. She said that negotiations have taken place with the developer and the Ecological and Environmental Officer as regards to mitigation measures and these are acceptable. As part of the sand dunes are in the ownership of the local authority and the developer will need to lease that land.

Councillor T LI Hughes MBE and a local member expressed that there are local concerns as regards to the development and noted that the Trearddur Community Council is against the application. He said that there are car parking issues in the area and concerns as regards to flooding issues.

Councillor K P Hughes proposed that the application be approved and Councillor R O Jones seconded the proposal.

It was RESOLVED to approve the application and following the statutory consultation coming to an end and to grant Officer's power to act on the amended ownership certificate, an addendum Flood Consequences Assessment and a Welsh Language Statement

7.2 FPL/2019/217 – Full application for the erection of 17 affordable dwellings, construction of two new vehicular and 3 new agricultural accesses, installation of a pumping station together with soft and hard landscaping on land adjacent to Craig y Don Estate and Cherry Tree Close, Benllech

The application was presented to the Planning and Orders Committee at the request of two Local Members. At the meeting on 13 January, 2021 the Committee resolved to visit the site. The virtual site visit subsequently took place on 20 January, 2021. At the meeting held on 10 February, 2021 the Committee resolved to refuse the application contrary to the Officer's recommendation.

Councillor Ieuan Williams, a local member said that it is important to note that since the last meeting the document 'Future of Wales' has been published and he referred to a paragraph within the document which notes '*.. we face a climate crisis that transforms our environment that transforms our environment and has a direct impact on our communities. We have an ecological crisis when decisions people make that damage eco-systems and species. We have suffered a global health pandemic and we must revive the economy in a sustainable way*'. He further said that the County Council adopted a Biodiversity Plan in January 2021 which entails that the local authority must act within the Environmental Act 2016 (Section 6) and the Authority must consider the effects on the natural environment. Councillor Williams further said that he believed that correspondence has been received from the developer which states that there are no other suitable sites in Benllech for such a development. He noted that within the Local Development Plan there were 11 candidate sites in the area of Benllech. This application is a nature zone and there are more appropriate site in Benllech for such a development. There would not be a requirement for a pumping station if the other candidate site had been chosen for development.

Councillor Margaret Roberts, a local member reiterated that she was supportive of affordable housing but this site is not suitable due to the nature of the site and there is duty of the Authority to safeguard wetlands/marsh land which is essential for wildlife habitat.

Councillor John Griffith referred to the Officer's report and correspondence by the applicant that the land of the application will deteriorate further and he questioned whether the land can be taken over to protect the wet marsh. Councillor Ieuan Williams responded that the Biodiversity Plan places duty of the Authority to protect these habitats.

The Development Management Manager reported that the application is for 17 mixed units of affordable housing on part of a local designated site in an AONB area. The site is a local designation of wildlife and at the last meeting correspondence was quoted that the land has been neglected over the years due to lack of management. The development site would be 13.5% of the designated site which is considered to be the poorest part of the land. A management plan would be required to ensure the future of the remaining site. She further said that whilst the land continues to deteriorate the planning authority does not have the authority to insist that it is managed appropriately. The application has been submitted as an exception site for affordable housing and has been assessed and found acceptable in accordance with housing policies. Whilst developing the application a number of sites were identified but were not adopted nor offered to be included in the JLDP. There is a need for

affordable housing in the area and there no other sites that comply with policies and the recommendation is of approval of the application.

Councillor Dafydd Roberts questioned whether the Biodiversity Plan is a planning consideration in assessing planning applications. The Development Management Manager responded that the Biodiversity Plan is considered within Part 6 of the Environment Act 2016 when considering applications. Councillor Roberts further said that part of a wildlife site would be lost as part of this application. Whilst it has been reported that the management plan would safeguard the rest of the land but questioned what assurance can be made to ensure that the land will be maintained and to ensure biodiversity and to protect the wildlife on the site and whether an annual report will be afforded on the management of the land. The Development Management Manager responded that a S106 legal agreement will ensure monitoring by vegetation surveys and a management plan and monitoring can be incorporated with planning conditions attached to any approval of the application.

Councillor K P Hughes said that there is a local need for affordable housing and the application complies with planning policies. Councillor Hughes proposed that the application be approved. Councillor Eric W Jones seconded the proposal as there is a need for affordable dwelling as noted within the planning policies.

Councillor Vaughan Hughes proposed to reaffirm the previous decision to refuse the application. Councillor Glyn Haynes seconded the proposal.

Following the vote and with the casting vote of the Chair:-

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

7.3 VAR/2020/66 – Application under Section 73 for the removal of condition (10) (Obscure glazed screen) of planning permission reference FPL/2019/134 (Erection of 8 apartments) at former Primary School, Pentraeth Road, Menai Bridge

The application was presented to the Planning and Orders Committee at the request of two local members.

The Development Management Manager reported that the application was refused at the last meeting contrary to the Officer's recommendation due to unacceptable overlooking to the neighbouring property. She noted that as part of the original application a planning condition was imposed that obscured glazed panels be erected on the first and second floor balconies on the western facing elevation of the application which forms part of apartments 6 and 8. The application is now to remove condition (10) to remove the need for obscured glass. Photographs of the site was afforded to the Committee at the last meeting and the neighbouring property has now received planning approval to raise the height of their garage and this would decrease further overlooking and

would create a screen. The recommendation continues to be one of approval of the application.

Councillor Robin Williams, and a local member said that he proposed at the last meeting that the application be refused and he does not agree that there is no overlooking. He further said that the developer is erecting obscured glass on the apartment above these two apartments. Councillor Robin Williams proposed to reaffirm the previous decision to refuse the application. Councillor K P Hughes seconded the proposal of refusal.

It was RESOLVED to reaffirm the previous decision to refuse the application.

8 ECONOMIC APPLICATIONS

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

9 AFFORDABLE HOUSING APPLICATIONS

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

10 DEPARTURE APPLICATIONS

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

11 DEVELOPMENT PROPOSALS SUBMITTED BY COUNCILLORS AND OFFICERS

11.1 FPL/2021/7 – Full application for the retention and completion of the agricultural shed together with the installation of a soakaway on land at Prysan Fawr, Bodedern

The application was presented to the Planning and Orders Committee as the applicant is related to a relevant officer as defined in paragraph 4.6.10.2 of the Constitution. The application has been scrutinised by the Monitoring Officer as required under paragraph 4.6.10.4 of the Constitution.

Having declared a personal interest in this application Councillor John Griffith did not take part in the discussion nor voting thereon.

Councillor K P Hughes and a local member requested a site visit to the application site so that the Committee can view the site and the effect on nearby adjacent Listed Buildings. Councillor Robin Williams seconded the proposal of a site visit.

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

12 REMAINDER OF APPLICATIONS

12.1 FPL/2021/1 – Full application for change of use of existing listed building into 4 social housing flats together with alterations and extensions at Plas Alltran, 3 Turkey Shore Road, Holyhead

The application was presented to the Planning and Orders Committee as the application has been submitted by the Local Authority.

The Development Management Manager reported that the application is to renovate the existing building into 4 social housing flats within a Grade II Listed Building. The building has been empty and disused for a number of years. The location of the building is within a prominent position near the port of Holyhead. She noted that there has been one letter of objection to the application but it is acceptable within its context and it is acceptable to the Holyhead Town Council. However, the site is partially within zone C2 where the creation of new, or increase in the provision of residential units is not acceptable in accordance with national planning policy. NRW has also submitted objections to the application and negotiations are continuing as regards to the application. The Development Management Manager further said that the creation of 4 flats is the minimum possible within the building. It is considered that this is a unique opportunity to restore the building. The development is considered acceptable subject to favourable negotiations with NRW in order to mitigate proposals before permission is granted.

Councillor T LI Hughes MBE said that the building needs to be brought back into use but there are concerns as regards to heavy traffic near the site.

Councillor Glyn Haynes said that this is a unique building and needs to be renovated. Councillor Haynes proposed that the application be approved. Councillor Robin Williams seconded the proposal of approval.

It was RESOLVED to approve the application in accordance with the Officer's recommendation and subject to the conditions contained within the written report once acceptable mitigation measures have been agreed to address objection by Natural Resources Wales.

12.2 LBC/2021/1 – Listed Building Consent for conversion of abandoned listed building into 4 social housing flats, demolition of part of the building and erection of extension in lieu together with external and internal works at Plas Alltran, 3 Turkey Shore Road, Holyhead

The application was presented to the Planning and Orders Committee as the application has been submitted by the Local Authority.

The Development Management Manager reported that the application is for Listed Building Consent as the local authority is the applicant.

Councillor K P Hughes proposed that the application be approved. Councillor T LI Hughes MBE seconded the proposal.

It was **RESOLVED** to refer the application to Welsh Government for Listed Building Consent.

12.3 FPL/2020/164 – Full application for conversion of the outbuilding into a holiday unit together with alterations and extensions thereto at Lleiniog Cottage, Penmon, Beaumaris

The application was presented to the Planning and Orders Committee at the request of a local member.

Public Speaker

Mr Rhys Davies (applicant's agent) said this application relates to a change of use for the conversion of an outbuilding into a holiday unit together with alterations and extensions to Lleiniog, Penmon, Beaumaris.

The committee reports that the main planning considerations are – whether the application conform to relevant policies in the local development plan and if the design acceptable as regards its design and look considering its listed status and location in a designated Area of Outstanding Natural Beauty.

Firstly, in this case, the main consideration is the effect of the development on the features and character of the listed building – by now the listed building permission has been approved for the work – by Anglesey County Council as the Planning Authority as well as CADW. It is clear that it is therefore an acceptable development from a listed building perspective. In considering other planning matters – a matter which is often raised on similar applications is if the development sustainable. In this case, the committee report confirms that the site is close to a bus stop. There is a direct path that goes from Lleiniog to the centre of Llangoed. Also, the site is close to the Wales Coastal Path and other public footpaths that provide good connections with nearby settlements, the coast and the wider countryside. Therefore, the site is in a sustainable location as regards access to public transport, services and amenities. It must also be remembered that these buildings are of historical importance and without permission to be used as holiday units – it is likely that the building will deteriorate further. This application will bring an existing building back into use and will therefore safeguard and improve a listed building. Other applications are currently being considered at this site in Lleiniog and we understand that the Community Council are concerned about other elements of the development. Generally, the site is in need of significant work in order to ensure the future of the listed buildings. The developer is discussing further issues with your Officer and we would be willing to meet virtually with the Community Council and Local Members to present the general plans for the site if needed. In the meantime, I hope you can approve this application today in line with the listed building permission that has already been granted.

Councillor Alun Roberts, a local member said that this site is of local concerns and he requested that a site visit be undertaken to the site. He noted that this is part of numerous works on the site and the site needs to be looked at as a whole. He noted concerns regarding traffic dangers on the access road and possible flooding. The road is not adequate for traffic to and from the site. The building is listed and in an Area of Outstanding Natural Beauty. There are currently negotiations with the Enforcement Officer and the developer regarding aspects of the development on the site.

Councillor John Griffith proposed that the site be visited and Councillor T LI Hughes MBE seconded the proposal.

It was RESOLVED to visit the site at the request of a local member for the reasons given.

13 OTHER MATTERS

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

**COUNCILLOR NICOLA ROBERTS
CHAIR**